

AMENDED IN SENATE JULY 1, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1020

Introduced by Assembly Member Ridley-Thomas

February 26, 2015

An act to amend ~~Section 2117~~ Sections 2000, 2101, 2103, 2106, 2114, 2115, 2119, 2120, 2139, 2140, 2150, 2155.3, 2157, 2158, 2163, 2165, 2166, 2166.5, 2166.7, 2168, 2183, 2184, 2185, 2187, 2188, 2188.1, 2188.5, 2191, 2193, 2194, 2196, 2200, 2201, 2202, 2206, 2208, 2209, 2210, 2211, 2212, 2221, 2224, 2225, 2226, 2227, 3010, 3011, 9030, 9031, 9114, 9115, 9308, 9309, 14202, 18104, and 18109 of, and to repeal Sections 2104, 2107, 2108, 2109, 2110, 2113, 2117, 2118, 2118.5, 2135, 2136, 2137, 2141, 2160, 2180, 2181, 2182, 2190, 2192, 2203, and 2204 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL’S DIGEST

AB 1020, as amended, Ridley-Thomas. Elections: voter registration.

Existing law provides that a person is entitled to register to vote if he or she is a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least 18 years of age at the time of the next registration.

This bill would provide that a person is entitled to preregister to vote in an election if, among other things, that person is at least 16 years of age.

Existing law authorizes county elections officials, under specified circumstances and in order to promote and encourage voter registrations, to deputize as registrars qualified citizens to register voters anywhere within the county.

The bill would delete this authorization and make conforming changes to related provisions of law.

Existing law requires the county elections official to accept affidavits of registration at all times except during the 14 days immediately preceding an election and requires the county elections official to accept an affidavit of registration executed as part of a voter registration card in the forthcoming election if the affidavit is executed on or before the 15th day prior to the election and if a specified circumstance applies.

The bill would delete these provisions of law.

Existing law authorizes the county elections official of any county to receive the affidavit of registration of any elector who resides or claims residence in another county in this state and provides that this method of registration is effective for all elections occurring 29 or more days after receipt of the affidavit of registration. Existing law also sets forth the acceptance procedure for the county elections official in the event a voter provides notification of a change of address.

The bill would instead specify that registration by the above-described method would be effective for an election occurring 15 or more days after receipt of the affidavit of registration by the county elections official. The bill would also modify the procedure for the acceptance of affidavits of voter registration, reregistration, or notification of a transfer of registration for an election.

Existing law authorizes any person filing with the county elections official a new affidavit of registration or reregistration to have the information relating to his or her residence address, telephone number, and e-mail address appearing on the affidavit, or any list, roster, or index prepared therefrom, declared confidential upon a superior court order, as specified.

The bill would impose new requirements on county elections officials relating to voters moving into a new county who wish to apply for confidential voter status. By imposing new requirements on local officials, the bill would impose a state-mandated local program.

Existing law requires the county elections officer to print a complete index and authorizes the officer to print a continuing index, by precinct, to the affidavits of registration current at the date of printing. Each county elections official is also required to send to the Secretary of State a summary statement of the number of voters in the county.

The bill would modify these provisions of law and require that the county elections officer provide an electronic copy of the index and of supplements to the index. The bill would also require a county elections

official to provide detailed notice to the Secretary of State that specified voter information is available.

The bill would correct incorrect cross-references and delete obsolete provisions of law.

Existing law requires the county elections official to cancel voter registration at the signed, written request of the person registered, when the mental incompetency of the person registered is legally established, upon proof that the person is presently imprisoned or on parole for the conviction of a felony, upon the production of a certified copy of a judgment directing that the cancellation be made, or upon the death of the person registered.

The bill would authorize the Secretary of State to cancel a person's registration when the mental incompetency of the person registered is legally established, upon proof that the person is presently imprisoned or on parole for the conviction of a felony, and upon the death of the person registered.

In specified circumstances, existing law requires a court to determine whether a person is capable of completing an affidavit of registration or otherwise qualified to vote. If the court determines that the person is not capable of completing the affidavit or is not qualified to vote, the court is required to order the person to be disqualified from voting and to notify the county elections official. In the event a person's right to register to vote is restored, the court is required to notify the county elections official.

The bill would instead require the court to notify the Secretary of State in the event a person is disqualified from voting or his or her right to register to vote is restored.

Existing law authorizes a county elections official to send an alternate residency confirmation postcard to a voter if the voter has not voted in an election within the preceding 4 years and his or her residence address, name, or party affiliation has not been updated during that time. A county elections official is required to send a forwardable notice to a voter to enable the voter to verify or correct residency information based on change-of-address data.

The bill would modify the form and content of the alternate residency confirmation postcard and forwardable notice.

Under existing law, any deputy registrar of voters having charge of affidavits of registration is guilty of a misdemeanor who knowingly neglects or refuses to return affidavits of registration.

The bill would instead specify that any individual or organization having charge of affidavits of registration who knowingly neglects or refuses to return affidavits of registration is guilty of a misdemeanor. By creating a new crime, the bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would become operative only if the Secretary of State certifies that the state has a statewide voter registration database that complies with the federal Help America Vote Act of 2002.

~~Existing law sets forth the procedures for registering to vote and processing voter registration. Existing law requires, if a voter reregisters or transfers his or her registration from one precinct to another, that the former address be entered in the prior registration portion of the affidavit and the former registration be canceled, except as specified.~~

~~This bill would instead require that the former address be maintained with the voter record and the registration be updated.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2000 of the Elections Code is amended
- 2 to read:
- 3 2000. (a) Every person who qualifies under Section 2 of Article
- 4 II of the California Constitution and who complies with this code
- 5 governing the registration of electors may vote at any election held
- 6 within the territory within which he or she resides and the election
- 7 is held.
- 8 (b) Any person who will be at least 18 years of age at the time
- 9 of the next election is eligible to register and vote at that election.

1 (c) Pursuant to Section 2102, any person who is at least 16
2 years of age and otherwise meets all eligibility requirements to
3 vote is eligible to preregister to vote, but is not eligible to vote
4 until he or she is 18 years of age.

5 SEC. 2. Section 2101 of the Elections Code is amended to read:

6 2101. (a) A person entitled to register to vote shall be a United
7 States citizen, a resident of California, not-in-prison imprisoned
8 or on parole for the conviction of a felony, and at least 18 years
9 of age at the time of the next election.

10 (b) A person entitled to preregister to vote in an election shall
11 be a United States citizen, a resident of California, not imprisoned
12 or on parole for the conviction of a felony, and at least 16 years
13 of age.

14 SEC. 3. Section 2103 of the Elections Code is amended to read:

15 2103. (a) It is the intent of the Legislature that the election
16 board of each county, in order to promote and encourage voter
17 registrations, shall establish a sufficient number of registration
18 places throughout the county, and outside the county courthouse,
19 for the convenience of persons desiring to register, to the end that
20 registration may be maintained at a high level.

21 (b) It is also the intent of the Legislature that county elections
22 officials, in order to promote and encourage voter registrations,
23 shall enlist the support and cooperation of interested citizens and
24 organizations, and shall deputize as registrars qualified citizens in
25 such a way as to reach most effectively every resident of the
26 county. ~~The persons so deputized shall be permitted to register~~
27 ~~voters anywhere within the county, including at the places of~~
28 ~~residence of the persons to be registered, and the county elections~~
29 ~~official shall not deny deputy registrars the right to register voters~~
30 ~~anywhere in the county.~~

31 (c) It is also the intent of the Legislature that
32 non-English-speaking citizens, like all other citizens, should be
33 encouraged to vote. Therefore, appropriate efforts should be made
34 to minimize obstacles to registration by citizens who lack sufficient
35 skill in English to register without assistance.

36 ~~(d) Where the county elections official finds that citizens~~
37 ~~described in subdivision (c) approximate 3 percent or more of the~~
38 ~~voting age residents of a precinct, or in the event that interested~~
39 ~~citizens or organizations provide information which the county~~
40 ~~elections official believes indicates a need for registration~~

1 assistance for qualified citizens described in subdivision (c), the
2 county elections official shall make reasonable efforts to recruit
3 deputy registrars who are fluent in a language used by citizens
4 described in subdivision (c) and in English. That recruitment shall
5 be conducted through the cooperation of interested citizens and
6 organizations and through voluntarily donated public service
7 notices in the media, including newspapers, radio, and television,
8 particularly those media that serve the non-English-speaking
9 citizens described in subdivision (c). Deputy registrars so appointed
10 shall facilitate registration in the particular precincts concerned
11 and shall have the right to register voters anywhere in the county.

12 (e) In furtherance of the purposes of this section, the governing
13 board of any county, city, city and county, district, or other public
14 agency may authorize and assign any of its officers or employees
15 to become deputy registrars of voters and to register qualified
16 citizens on any premises and facilities owned or controlled by
17 those public agencies during the regular working hours of the
18 officers or employees. With the exception of firefighters, any
19 compensation to which the officer or employee may be entitled in
20 payment for the services of the officer or employee as a deputy
21 registrar may be paid by the authority that appointed the officer
22 or employee as a deputy registrar to the public agency that regularly
23 employs the officer or employee.

24 (f) It is the intent of the Legislature that no limitation be imposed
25 on the number of persons appointed to act as deputy registrars of
26 voters.

27 (g)

28 (d) It is the intent of the Legislature that county elections
29 officials be permitted to distribute affidavits of registration and
30 voter registration cards, in all languages required by Section 203
31 (42 (52 U.S.C. Sec. 1973aa-1a) 10503) or Section 4(f)(4)-(42 (52
32 U.S.C. Sec. 1973b(f)(4)) 10303(f)(4)) of the federal Voting Rights
33 Act of 1965, by using the county's Internet Web site.

34 SEC. 4. Section 2104 of the Elections Code is repealed.

35 2104. It is the intent of the Legislature that the introduction of
36 registration by mail shall not in any way lead to administrative
37 limitations on the use of deputy registrars of voters for the purpose
38 of assisting in the registration of persons who may continue to
39 require such assistance.

1 It is the intent of the Legislature that registrars continue to be
2 deputized by the county elections official pursuant to Section 2103;
3 but that as the electorate becomes more conversant with mail
4 registration procedures, the number of deputy registrars will
5 naturally diminish due to a decrease in the demand for the services
6 of the deputy registrars of voters.

7 *SEC. 5. Section 2106 of the Elections Code, as amended by*
8 *Section 2 of Chapter 619 of the Statutes of 2014, is amended to*
9 *read:*

10 2106. A program adopted by a county pursuant to Section 2103
11 or 2105, that is designed to encourage the registration of electors,
12 shall, with respect to a printed literature or media announcement
13 made in connection with these programs, contain this statement:
14 “A person entitled to register to vote must be a United States
15 citizen, a resident of California, not-in-prison *imprisoned* or on
16 parole for the conviction of a felony, and at least 18 years of age
17 at the time of the election. A person may preregister to vote if he
18 or she is a United States citizen, a resident of California, not-in
19 prison *imprisoned* or on parole for the conviction of a felony, and
20 at least 16 years of age.” A county elections official may continue
21 to use existing materials before printing new or revised materials
22 required by any changes to this section.

23 *SEC. 6. Section 2106 of the Elections Code, as enacted by*
24 *Section 2 of Chapter 920 of the Statutes of 1994, is amended to*
25 *read:*

26 2106. Any program adopted by a county pursuant to Section
27 2103 or 2105, that is designed to encourage the registration of
28 electors, shall, with respect to any printed literature or media
29 announcements made in connection with these programs, contain
30 this statement: “A person entitled to register to vote must be a
31 United States citizen, a resident of California, not-in-prison
32 *imprisoned* or on parole for the conviction of a felony, and at least
33 18 years of age at the time of the election.”

34 *SEC. 7. Section 2107 of the Elections Code, as amended by*
35 *Section 7 of Chapter 909 of the Statutes of 2014, is repealed.*

36 2107. ~~(a) Except as provided in subdivision (b), the county~~
37 ~~elections official shall accept affidavits of registration at all times~~
38 ~~except during the 14 days immediately preceding an election, when~~
39 ~~registration shall cease for that election as to electors residing in~~
40 ~~the territory within which the election is held. Transfers of~~

1 registration for an election may be made from one precinct to
2 another precinct in the same county at any time registration is in
3 progress in the precinct to which the elector seeks to transfer.

4 (b) The county elections official shall accept an affidavit of
5 registration executed as part of a voter registration card in the
6 forthcoming election if the affidavit is executed on or before the
7 15th day prior to the election, and if any of the following apply:

8 (1) The affidavit is postmarked on or before the 15th day prior
9 to the election and received by mail by the county elections official.

10 (2) The affidavit is submitted to the Department of Motor
11 Vehicles or accepted by any other public agency designated as a
12 voter registration agency pursuant to the federal National Voter
13 Registration Act of 1993 (42 U.S.C. Sec. 1973gg et seq.) on or
14 before the 15th day prior to the election.

15 (3) The affidavit is delivered to the county elections official by
16 means other than those described in paragraphs (1) and (2) on or
17 before the 15th day prior to the election.

18 (4) The affidavit is submitted electronically on the Internet Web
19 site of the Secretary of State pursuant to Section 2196 on or before
20 the 15th day prior to the election.

21 *SEC. 8. Section 2107 of the Elections Code, as amended by*
22 *Section 8 of Chapter 909 of the Statutes of 2014, is repealed.*

23 2107. (a) Except as provided in subdivision (b) and Article
24 4.5 (commencing with Section 2170), the county elections official
25 shall accept affidavits of registration at all times except during the
26 14 days immediately preceding an election, when registration shall
27 cease for that election as to electors residing in the territory within
28 which the election is held. Transfers of registration for an election
29 may be made from one precinct to another precinct in the same
30 county at any time registration is in progress in the precinct to
31 which the elector seeks to transfer.

32 (b) The county elections official shall accept an affidavit of
33 registration executed as part of a voter registration card in the
34 forthcoming election if the affidavit is executed on or before the
35 15th day prior to the election, and if any of the following apply:

36 (1) A mailed affidavit is postmarked on or before the 15th day
37 prior to the election and received by mail by the county elections
38 official before the close of the polls on election day.

39 (2) The affidavit is submitted to the Department of Motor
40 Vehicles or accepted by any other public agency designated as a

1 voter registration agency pursuant to the federal National Voter
2 Registration Act of 1993 (42 U.S.C. Sec. 1973gg et seq.) on or
3 before the 15th day prior to the election.

4 (3) The affidavit is delivered to the county elections official by
5 means other than those described in paragraphs (1) and (2) on or
6 before the 15th day prior to the election.

7 (4) The affidavit is submitted electronically on the Internet Web
8 site of the Secretary of State pursuant to Section 2196 on or before
9 the 15th day prior to the election.

10 *SEC. 9. Section 2108 of the Elections Code is repealed.*

11 2108. The county elections official shall keep and maintain a
12 current file listing all persons appointed or deputized by the county
13 elections official to register voters, which file shall be open to
14 public inspection. The file shall include the party affiliation, if
15 any, of each person listed.

16 *SEC. 10. Section 2109 of the Elections Code is repealed.*

17 2109. Any person who is a registered voter qualifies for
18 appointment as a deputy registrar of voters.

19 *SEC. 11. Section 2110 of the Elections Code is repealed.*

20 2110. No county elections official may refuse to deputize any
21 person to register voters because of ancestry, marital status,
22 political affiliation, or any characteristic listed or defined in Section
23 11135 of the Government Code.

24 *SEC. 12. Section 2113 of the Elections Code is repealed.*

25 2113. Any elector absent from the county in which he or she
26 claims residence may request a voter registration card from the
27 county elections official of the county of residence. The county
28 elections official shall furnish a voter registration card, to each
29 elector requesting a card and showing that he or she will be
30 temporarily absent from his or her home county. Upon receipt by
31 the county elections official, the affidavit of registration shall be
32 processed as required by this chapter.

33 *SEC. 13. Section 2114 of the Elections Code is amended to*
34 *read:*

35 2114. The county elections official of any county in this state
36 may receive the affidavit of registration of any elector who resides
37 or claims residence in another county in this state. The affidavit
38 shall be forwarded to the county elections official of the county
39 in which the elector resides. The county elections official of the
40 county in which the elector resides shall use the affidavit of

1 registration *received* from the other county as his or her permanent
2 record *of registration*.

3 Registration by this method shall be effective for all elections
4 occurring ~~29~~ 15 or more days after receipt of the affidavit of
5 registration by the county elections official ~~or his or her deputy~~ to
6 which the affidavit is mailed or delivered by the elector.

7 *SEC. 14. Section 2115 of the Elections Code is amended to*
8 *read:*

9 2115. Whenever a voter, between the time of that person's last
10 registration and the time for the closing of registration for any
11 given election ~~in the same county~~, has lawfully changed his or her
12 surname, the voter ~~may~~ *shall* reregister under the new or changed
13 name. The voter shall make an additional statement at the time of
14 reregistration, giving the name under which he or she was last
15 registered ~~in that county~~.

16 This additional statement shall be given in the prior registration
17 portion of the affidavit of registration before the affidavit is signed,
18 and shall be deemed a part of the affidavit. Upon reregistration,
19 the last previous registration of the voter shall be ~~canceled~~
20 *immediately updated*.

21 *SEC. 15. Section 2117 of the Elections Code is repealed.*

22 2117. ~~Except as provided in Section 2119, if a voter reregisters~~
23 ~~or transfers his or her registration from one precinct to another,~~
24 ~~the former address shall be entered in the prior registration portion~~
25 ~~of the affidavit, and the former registration shall thereupon be~~
26 ~~canceled.~~

27 *SEC. 16. Section 2118 of the Elections Code is repealed.*

28 2118. ~~No person shall register in one county when his or her~~
29 ~~registration in another remains uncanceled unless he or she~~
30 ~~complies with this section. Any person who is registered in one~~
31 ~~county may, if otherwise legally qualified, register in another~~
32 ~~county in which he or she then resides, at any time before the~~
33 ~~closing of registration for any election, if in the prior registration~~
34 ~~portion of the affidavit of registration he or she enters his or her~~
35 ~~former address.~~

36 ~~The county elections official shall at once notify the county~~
37 ~~elections official of the county in which the old registration is still~~
38 ~~uncanceled that the voter has reregistered. Upon receipt of the~~
39 ~~notice of reregistration, the former registration shall be canceled~~
40 ~~immediately.~~

1 *SEC. 17. Section 2118.5 of the Elections Code is repealed.*

2 ~~2118.5. (a) If a voter is erroneously assigned to a precinct, the~~
3 ~~voter may apply to the elections official for a certificate showing~~
4 ~~the record of registration. The elections official shall give the voter~~
5 ~~the certificate on or before election day. Upon presentation of this~~
6 ~~certificate to the precinct board of the proper precinct, the board~~
7 ~~shall permit the voter to vote. If the voter does not obtain the~~
8 ~~certificate provided for in this section, and votes in the precinct~~
9 ~~into which the voter has been erroneously assigned by the elections~~
10 ~~official, and the election is contested, the voter's vote shall not be~~
11 ~~rejected for those candidates and on those measures with respect~~
12 ~~to which the voter would have been entitled to vote had the voter~~
13 ~~voted in the proper precinct, and no inquiry shall be made as to~~
14 ~~how the voter voted for those candidates or on those measures.~~

15 ~~(b) No voter who receives a certificate of registration under this~~
16 ~~section shall be charged a fee by the elections official.~~

17 *SEC. 18. Section 2119 of the Elections Code is amended to*
18 *read:*

19 ~~2119. (a) In lieu of executing a new affidavit of registration~~
20 ~~for a change of address within the county the county elections~~
21 ~~official shall accept a notice or letter of the change of address~~
22 ~~signed by a voter as he or she is registered.~~

23 ~~(b) The county elections official shall accept a notification for~~
24 ~~the forthcoming election and shall change the address on the voter's~~
25 ~~affidavit of registration accordingly if the notification is executed~~
26 ~~on or before the 15th day prior to the election and if any of the~~
27 ~~following apply:~~

28 ~~(1) The notification is postmarked on or before the 15th day~~
29 ~~prior to the election and received by mail by the county elections~~
30 ~~official.~~

31 ~~(2) The notification is submitted to the Department of Motor~~
32 ~~Vehicles or accepted by any other public agency designated as a~~
33 ~~voter registration agency pursuant to the National Voter~~
34 ~~Registration Act of 1993 (42 U.S.C. Sec. 1973gg) prior to the~~
35 ~~election.~~

36 ~~(3) The notification is delivered to the county elections official~~
37 ~~by means other than those described in paragraphs (2) and (3) on~~
38 ~~or before the 14th day prior to the election.~~

39 ~~2119. (a) Except as provided in subdivision (d) and Chapter~~
40 ~~5 (commencing with Section 3400) and Chapter 6 (commencing~~

1 *with Section 3500) of Division 3, the county elections official shall*
2 *accept affidavits of registration at all times except during the 14*
3 *days immediately preceding an election, when registration shall*
4 *cease for that election as to electors residing in the territory within*
5 *which the election is held.*

6 *(b) Transfers of registration for an election may be made from*
7 *one precinct to another precinct in the same county, from one*
8 *county to another county, or for a residence address change within*
9 *the same precinct at any time registration is in progress in the*
10 *precinct or county to which the elector seeks to transfer. In lieu*
11 *of executing a new affidavit of registration for a change of address,*
12 *the county elections official shall accept a notice, a letter of the*
13 *change of address signed by a voter as he or she is registered, or*
14 *a written notice. The former address shall be maintained with the*
15 *voter record and the registration of the voter shall be immediately*
16 *updated.*

17 *(c) If the reregistration or transfer is from one county to another*
18 *county, the county elections official of the county in which the*
19 *voter was formerly registered shall be notified and the registration*
20 *of the voter shall be immediately updated.*

21 *(d) The county elections official shall accept an affidavit of*
22 *registration or a notification for the forthcoming election and shall*
23 *immediately update the address on the voter's affidavit of*
24 *registration accordingly if the affidavit of registration or*
25 *notification is executed on or before the 15th day prior to the*
26 *election and if any of the following apply:*

27 *(1) The mailed affidavit of registration or notification is*
28 *postmarked on or before the 15th day prior to the election and*
29 *received by mail by the county elections official before the close*
30 *of the polls on election day.*

31 *(2) The affidavit of registration or notification is submitted to*
32 *the Department of Motor Vehicles or accepted by any other public*
33 *agency designated as a voter registration agency pursuant to the*
34 *federal National Voter Registration Act of 1993 (52 U.S.C. Sec.*
35 *20501 et seq.) on or before the 15th day prior to the election.*

36 *(3) The affidavit of registration or notification is delivered to*
37 *the county elections official by means other than those described*
38 *in paragraphs (1) and (2) on or before the 15th day prior to the*
39 *election.*

1 (4) *The affidavit is submitted electronically on the Internet Web*
2 *site of the Secretary of State pursuant to Section 2196 on or before*
3 *the 15th day prior to the election.*

4 (e) *If the registration, reregistration, or notification is executed*
5 *during the 14 days before an election or is executed on or before*
6 *the 15th day prior to the election, but does not meet any of the*
7 *conditions set forth in subdivision (d), the registration of the voter*
8 *or the update to the registration of the voter shall be immediately*
9 *processed, but the voter will not be eligible to vote in that election.*

10 (f) *This section shall become inoperative on January 1, 2017.*

11 SEC. 19. *Section 2119 of the Elections Code is amended to*
12 *read:*

13 ~~2119. (a) In lieu of executing a new affidavit of registration~~
14 ~~for a change of address within the county the county elections~~
15 ~~official shall accept a notice or letter of the change of address~~
16 ~~signed by a voter as he or she is registered.~~

17 ~~(b) The county elections official shall accept a notification for~~
18 ~~the forthcoming election and shall change the address on the voter's~~
19 ~~affidavit of registration accordingly if the notification is executed~~
20 ~~on or before the 15th day prior to the election and if any of the~~
21 ~~following apply:~~

22 ~~(1) The notification is postmarked on or before the 15th day~~
23 ~~prior to the election and received by mail by the county elections~~
24 ~~official.~~

25 ~~(2) The notification is submitted to the Department of Motor~~
26 ~~Vehicles or accepted by any other public agency designated as a~~
27 ~~voter registration agency pursuant to the National Voter~~
28 ~~Registration Act of 1993 (42 U.S.C. Sec. 1973gg) prior to the~~
29 ~~election.~~

30 ~~(3) The notification is delivered to the county elections official~~
31 ~~by means other than those described in paragraphs (2) and (3) on~~
32 ~~or before the 14th day prior to the election.~~

33 2119. (a) *Except as provided in subdivision (d), Article 4.5*
34 *(commencing with Section 2170), and Chapter 5 (commencing*
35 *with Section 3400) and Chapter 6 (commencing with Section 3500)*
36 *of Division 3, the county elections official shall accept affidavits*
37 *of registration at all times except during the 14 days immediately*
38 *preceding an election, when registration shall cease for that*
39 *election as to electors residing in the territory within which the*
40 *election is held.*

1 **(b)** *Transfers of registration for an election may be made from*
2 *one precinct to another precinct in the same county or from one*
3 *county to another county at any time registration is in progress in*
4 *the precinct or county to which the elector seeks to transfer. In*
5 *lieu of executing a new affidavit of registration for a change of*
6 *address, the county elections official shall accept a notice, a letter*
7 *of the change of address signed by a voter as he or she is*
8 *registered, or written notice.*

9 *The former address shall be maintained with the voter record*
10 *and the registration of the voter shall be immediately updated.*

11 **(c)** *If the reregistration or transfer is from one county to another*
12 *county, the county elections official of the county in which the*
13 *voter was former registered shall be notified and the registration*
14 *of the voter shall be immediately updated.*

15 **(d)** *The county elections official shall accept an affidavit of*
16 *registration or a notification for the forthcoming election and shall*
17 *immediately update the address on the voter's affidavit of*
18 *registration accordingly if the affidavit of registration or*
19 *notification is executed on or before the 15th day prior to the*
20 *election and if any of the following apply:*

21 **(1)** *The mailed affidavit of registration or notification is*
22 *postmarked on or before the 15th day prior to the election and*
23 *received by mail by the county elections official before the close*
24 *of the polls on election day.*

25 **(2)** *The affidavit of registration or notification is submitted to*
26 *the Department of Motor Vehicles or accepted by any other public*
27 *agency designated as a voter registration agency pursuant to the*
28 *federal National Voter Registration Act of 1993 (52 U.S.C. Sec.*
29 *20501 et seq.) on or before the 15th day prior to the election.*

30 **(3)** *The affidavit of registration or notification is delivered to*
31 *the county elections official by means other than those described*
32 *in paragraphs (1) and (2) on or before the 15th day prior to the*
33 *election.*

34 **(4)** *The affidavit is submitted electronically on the Internet Web*
35 *site of the Secretary of State pursuant to Section 2196 on or before*
36 *the 15th day prior to the election.*

37 **(e)** *If the registration, reregistration, or notification is executed*
38 *during the 14 days before an election or is executed on or before*
39 *the 15th day prior to the election, but does not meet any of the*
40 *conditions set forth in subdivision (d), the registration of the voter*

1 *or the update to the registration of the voter shall be immediately*
2 *processed, but the voter will not be eligible to vote in that election.*

3 *(f) This section shall become operative on January 1, 2017.*

4 *SEC. 20. Section 2120 of the Elections Code is amended to*
5 *read:*

6 2120. *(a) If the county elections official receives a letter from*
7 *a voter stating that the voter has moved to a new address in another*
8 *county in the state and the voter provides the new address, the*
9 *elections official shall immediately notify the elections official of*
10 *the county to which the voter has moved. Upon receipt of the*
11 *notice, the elections official of the county to which the voter has*
12 *moved shall send to the voter a voter registration card, and shall*
13 *instruct the voter that in order to record a change of address, the*
14 *voter must reregister on a new affidavit of registration. The*
15 *elections official shall cancel the old registration for any election*
16 *occurring at least 29 days after the receipt of the letter. update the*
17 *voter's registration and the former address shall be maintained*
18 *with the voter record.*

19 *(b) If the county elections official receives a letter from a voter*
20 *stating that the voter has moved to a new address in another county*
21 *in the state and the voter does not provide the new address, the*
22 *elections official shall cancel the old registration for any election*
23 *occurring at least 15 days after the receipt of the letter.*

24 *SEC. 21. Section 2135 of the Elections Code is repealed.*

25 ~~2135. The county elections official shall provide voter~~
26 ~~registration forms for use in registration by deputy registrars of~~
27 ~~voters. The voter registration forms shall be bound into books or~~
28 ~~pads. The affidavits included in the voter registration forms shall~~
29 ~~be numbered and shall have a stub attached as prescribed by~~
30 ~~Section 2160.~~

31 ~~Each affidavit and stub shall bear the same number. The~~
32 ~~numbering shall begin with one and continue in a sequence until~~
33 ~~all of the blanks provided are numbered. The numbering shall~~
34 ~~begin anew with each 1,000,000 affidavits of registration numbered~~
35 ~~pursuant to this section. Each set of numbers shall be designated~~
36 ~~alphabetically as a series, beginning with series A, following the~~
37 ~~first 1,000,000.~~

38 *SEC. 22. Section 2136 of the Elections Code is repealed.*

39 ~~2136. Each deputy registrar of voters shall be issued a receipt~~
40 ~~by the county elections official for all books or pads issued,~~

1 specifying the numbers of the affidavits received. The deputy is
2 responsible for them until they are returned to the county elections
3 official.

4 *SEC. 23. Section 2137 of the Elections Code is repealed.*

5 ~~2137. When any elector is registered, his or her name,~~
6 ~~residence, and residence telephone number, if furnished, shall be~~
7 ~~entered on the stub attached to the original affidavit. If for any~~
8 ~~cause the affidavit is spoiled in the course of execution or a mistake~~
9 ~~is made, the affidavit shall not be destroyed, but the name of the~~
10 ~~elector for whom it was intended, with his or her residence, shall~~
11 ~~be entered on the stub as in other cases, and the stubs and affidavits~~
12 ~~each marked with the word "spoiled."~~

13 *SEC. 24. Section 2139 of the Elections Code is amended to*
14 *read:*

15 2139. On the day of the close of registration for any election
16 all deputy registrars of voters or individuals and organizations that
17 have submitted plans for distribution shall immediately return all
18 completed affidavits of registration in their possession to the county
19 elections official. Unused affidavits shall be returned upon
20 completion of the distribution plan.

21 *SEC. 25. Section 2140 of the Elections Code is amended to*
22 *read:*

23 2140. The county elections official shall report to the district
24 attorney of the county, under oath, the name of any ~~deputy registrar~~
25 ~~of voters who has individuals or organizations that have submitted~~
26 ~~plans for distribution who have not complied with this article.~~

27 *SEC. 26. Section 2141 of the Elections Code is repealed.*

28 ~~2141. If the county elections official deems a duplicate file of~~
29 ~~voter registration cards to be necessary for administrative purposes,~~
30 ~~the county elections official may prepare, upon the receipt in his~~
31 ~~or her office of each original affidavit of registration, a reproduction~~
32 ~~thereof in compliance with the following conditions:~~

33 ~~(a) The affidavit is photographed, microphotographed, or~~
34 ~~reproduced in a manner approved for permanent records by the~~
35 ~~National Bureau of Standards.~~

36 ~~(b) The device used to reproduce the affidavit is one that~~
37 ~~accurately reproduces the original thereof in all details.~~

38 ~~(c) The photographs, microphotographs, or other reproductions~~
39 ~~are placed in conveniently accessible files and provision is made~~
40 ~~for preserving, examining, and using the same.~~

1 ~~Wherever in this code the term duplicate affidavit is used it shall~~
2 ~~be deemed to include the reproduced affidavit authorized by this~~
3 ~~section.~~

4 ~~Any signature comparison required by this code may be made~~
5 ~~against these duplicates.~~

6 *SEC. 27. Section 2150 of the Elections Code, as amended by*
7 *Section 8 of Chapter 1 of the Statutes of 2009, is amended to read:*

8 2150. (a) The affidavit of registration shall show:

9 (1) The facts necessary to establish the affiant as an elector.

10 (2) The affiant's name at length, including his or her given
11 name, and a middle name or initial, or if the initial of the given
12 name is customarily used, then the initial and middle name. The
13 affiant's given name may be preceded, at affiant's option, by the
14 designation of Miss, Ms., Mrs., or Mr. A person shall not be denied
15 the right to register because of his or her failure to mark a prefix
16 to the given name and shall be so advised on the voter registration
17 card. This subdivision shall not be construed as requiring the
18 printing of prefixes on an affidavit of registration.

19 (3) The affiant's place of residence, residence telephone number,
20 if furnished, and e-mail address, if furnished. No person shall be
21 denied the right to register because of his or her failure to furnish
22 a telephone number or e-mail address, and shall be so advised on
23 the voter registration card.

24 (4) The affiant's mailing address, if different from the place of
25 residence.

26 (5) The affiant's date of birth to establish that he or she will be
27 at least 18 years of age on or before the date of the next election.

28 (6) The state or country of the affiant's birth.

29 (7) (A) In the case of an applicant who has been issued a current
30 and valid driver's license, the applicant's driver's license number.

31 (B) In the case of any other applicant, other than an applicant
32 to whom subparagraph (C) applies, the last ~~four~~ digits of the
33 applicant's social security number.

34 (C) If an applicant for voter registration has not been issued a
35 current and valid driver's license or a social security number, the
36 state shall assign the applicant a number that will serve to identify
37 the applicant for voter registration purposes. To the extent that the
38 state has a computerized list in effect under this subdivision and
39 the list assigns unique identifying numbers to registrants, the

1 number assigned under this subparagraph shall be the unique
2 identifying number assigned under the list.

3 (8) The affiant's political party preference.

4 (9) That the affiant is currently not imprisoned or on parole for
5 the conviction of a felony.

6 (10) A prior registration portion indicating whether the affiant
7 has been registered at another address, under another name, or as
8 preferring another party. If the affiant has been so registered, he
9 or she shall give an additional statement giving that address, name,
10 or party.

11 (b) The affiant shall certify the content of the affidavit as to its
12 truth and correctness, under penalty of perjury, with the signature
13 of his or her name and the date of signing. If the affiant is unable
14 to write he or she shall sign with a mark or cross.

15 (c) The affidavit of registration shall also contain a space that
16 would enable the affiant to state his or her ethnicity or race, or
17 both. An affiant may not be denied the ability to register because
18 he or she declines to state his or her ethnicity or race.

19 (d) If any person, ~~including a deputy registrar,~~ assists the affiant
20 in completing the affidavit, that person shall sign and date the
21 affidavit below the signature of the affiant.

22 (e) The affidavit of registration shall also contain a space to
23 permit the affiant to apply for permanent vote by mail status.

24 (f) The Secretary of State may continue to supply existing
25 affidavits of registration to county elections officials prior to
26 printing new or revised forms that reflect the changes made to this
27 section by the act that added this subdivision.

28 *SEC. 28. Section 2150 of the Elections Code, as amended by*
29 *Section 3 of Chapter 619 of the Statutes of 2014, is amended to*
30 *read:*

31 2150. (a) The affidavit of registration shall show:

32 (1) The facts necessary to establish the affiant as an elector.

33 (2) The affiant's name at length, including his or her given
34 name, and a middle name or initial, or if the initial of the given
35 name is customarily used, then the initial and middle name. The
36 affiant's given name may be preceded, at affiant's option, by the
37 designation of Miss, Ms., Mrs., or Mr. A person shall not be denied
38 the right to register because of his or her failure to mark a prefix
39 to the given name and shall be so advised on the voter registration

1 card. This subdivision shall not be construed as requiring the
2 printing of prefixes on an affidavit of registration.

3 (3) The affiant's place of residence, residence telephone number,
4 if furnished, and e-mail address, if furnished. A person shall not
5 be denied the right to register because of his or her failure to furnish
6 a telephone number or e-mail address, and shall be so advised on
7 the voter registration card.

8 (4) The affiant's mailing address, if different from the place of
9 residence.

10 (5) The affiant's date of birth to establish that he or she will be
11 at least 18 years of age on or before the date of the next election.
12 In the case of an affidavit of registration submitted pursuant to
13 subdivision (d) of Section 2102, the affiant's date of birth to
14 establish that he or she is at least 16 years of age.

15 (6) The state or country of the affiant's birth.

16 (7) (A) In the case of an applicant who has been issued a current
17 and valid driver's license, the applicant's driver's license number.

18 (B) In the case of any other applicant, other than an applicant
19 to whom subparagraph (C) applies, the last four digits of the
20 applicant's social security number.

21 (C) If an applicant for voter registration has not been issued a
22 current and valid driver's license or a social security number, the
23 state shall assign the applicant a number that will serve to identify
24 the applicant for voter registration purposes. To the extent that the
25 state has a computerized list in effect under this subdivision and
26 the list assigns unique identifying numbers to registrants, the
27 number assigned under this subparagraph shall be the unique
28 identifying number assigned under the list.

29 (8) The affiant's political party preference.

30 (9) That the affiant is currently not imprisoned or on parole for
31 the conviction of a felony.

32 (10) A prior registration portion indicating whether the affiant
33 has been registered at another address, under another name, or as
34 preferring another party. If the affiant has been so registered, he
35 or she shall give an additional statement giving that address, name,
36 or party.

37 (b) The affiant shall certify the content of the affidavit as to its
38 truth and correctness, under penalty of perjury, with the signature
39 of his or her name and the date of signing. If the affiant is unable
40 to write he or she shall sign with a mark or cross.

1 (c) The affidavit of registration shall also contain a space that
2 would enable the affiant to state his or her ethnicity or race, or
3 both. An affiant shall not be denied the ability to register because
4 he or she declines to state his or her ethnicity or race.

5 (d) If a person, ~~including a deputy registrar~~, assists the affiant
6 in completing the affidavit, that person shall sign and date the
7 affidavit below the signature of the affiant.

8 (e) The affidavit of registration shall also contain a space to
9 permit the affiant to apply for permanent vote by mail status.

10 (f) The Secretary of State may continue to supply existing
11 affidavits of registration to county elections officials prior to
12 printing new or revised forms that reflect the changes made to this
13 section by the act that added this subdivision.

14 *SEC. 29. Section 2155.3 of the Elections Code is amended to*
15 *read:*

16 2155.3. (a) In lieu of the voter notification required by Section
17 2155, a person under 18 years of age who submits an affidavit of
18 registration pursuant to Section 2101 or subdivision (d) of Section
19 2102, as amended by the act adding this section shall be sent a
20 voter preregistration notice upon a determination that the affidavit
21 of registration is properly executed and that the person otherwise
22 satisfies all eligibility requirements to vote, except that he or she
23 is under 18 years of age. The county elections official shall send
24 the voter preregistration notice by nonforwardable, first-class mail,
25 address correction requested.

26 (b) The voter preregistration notice required by subdivision (a)
27 shall be substantially in the following form:

28
29 VOTER PREREGISTRATION NOTICE
30

31 Thank you for ~~registering~~ *preregistering* to vote. You may vote
32 in any election held on or after your 18th birthday.

33 Your party preference is: (Name of political party)

34 Before any election in which you are eligible to vote, you will
35 receive a sample ballot and voter pamphlet by mail.

36 If the information on this card is incorrect, please contact our
37 office or update your ~~registration~~ *preregistration* at the Internet
38 Web site of the Secretary of State.
39

1 *SEC. 30. Section 2157 of the Elections Code is amended to*
2 *read:*

3 2157. (a) Subject to this chapter, the paper affidavit of
4 registration shall be in a form prescribed by regulations adopted
5 by the Secretary of State. The affidavit shall comply with all of
6 the following:

7 (1) Contain the information prescribed in Section 2150.

8 ~~(2) Be sufficiently uniform among the separate counties to allow~~
9 ~~for the processing and use by one county of an affidavit completed~~
10 ~~in another county.~~

11 ~~(3)~~

12 (2) Allow for the inclusion of informational language to meet
13 the specific needs of that county, including, but not limited to, the
14 return address of the elections official in that county, and a
15 telephone number at which a voter can obtain elections information
16 in that county.

17 ~~(4)~~

18 (3) Be included on one portion of a multipart card, to be known
19 as a voter registration card, the other portions of which shall include
20 information sufficient to facilitate completion and mailing of the
21 affidavit. The affidavit portion of the multipart card shall be
22 numbered according to regulations adopted by the Secretary of
23 State. For purposes of facilitating the distribution of voter
24 registration cards as provided in Section 2158, there shall be
25 attached to the affidavit portion a receipt. The receipt shall be
26 separated from the body of the affidavit by a perforated line.

27 ~~(5)~~

28 (4) Contain, in a type size and color of ink that is clearly
29 distinguishable from surrounding text, a statement identical or
30 substantially similar to the following:

31 “Certain voters facing life-threatening situations may qualify
32 for confidential voter status. For more information, please contact
33 the Secretary of State’s Safe At Home program or visit the
34 Secretary of State’s Web site.”

35 ~~(6)~~

36 (5) Contain, in a type size and color of ink that is clearly
37 distinguishable from surrounding text, a statement that the use of
38 voter registration information for commercial purposes is a
39 misdemeanor pursuant to subdivision (a) of Section 2194 and

1 Section 18109, and any suspected misuse shall be reported to the
2 Secretary of State.

3 ~~(7)~~

4 (6) Contain a toll-free fraud hotline telephone number
5 maintained by the Secretary of State that the public may use to
6 report suspected fraudulent activity concerning misuse of voter
7 registration information.

8 ~~(8)~~

9 (7) Be returnable to the county elections official as a
10 self-enclosed mailer with postage prepaid by the Secretary of State.

11 (b) Nothing contained in this division shall prevent the use of
12 voter registration cards and affidavits of registration in existence
13 on the effective date of this section and produced pursuant to
14 regulations of the Secretary of State, and all references to voter
15 registration cards and affidavits in this division shall be applied to
16 the existing voter registration cards and affidavits of registration.

17 (c) The Secretary of State may continue to supply existing
18 affidavits of registration prior to printing new or revised forms
19 that reflect the changes required pursuant to this section; *or* Section
20 2150, ~~or Section 2160~~.

21 (d) An affidavit of registration shall not be submitted
22 electronically on a county's Internet Web site. However, a county
23 may provide a hyperlink on the county's Internet Web site to the
24 Secretary of State's electronic voter registration system.

25 *SEC. 31. Section 2158 of the Elections Code is amended to*
26 *read:*

27 2158. ~~In addition to registration conducted by deputy registrars~~
28 ~~of voters, the county~~ *County elections official officials* shall do all
29 of the following:

30 (a) Provide voter registration cards designed pursuant to
31 subdivision (a) of Section 2157 for the registration of voters at his
32 or her office and in a sufficient number of locations throughout
33 the county for the convenience of persons desiring to register, to
34 the end that registration may be maintained at a high level. The
35 cards shall be available in all languages required by Section 203
36 ~~(42 (52 U.S.C. Sec. 1973aa-1a) 10503)~~ *or* Section 4(f)(4) ~~(42 (52~~
37 ~~U.S.C. Sec. 1973b(f)(4)) 10303(f)(4))~~ *of the federal Voting Rights*
38 *Act of 1965.*

39 (b) Provide voter registration cards designed pursuant to
40 subdivision (a) of Section 2157 in sufficient quantities to any

1 individuals or organizations that wish to distribute the cards other
2 than to persons who have been convicted of violating this section
3 within the last five years. Individuals and organizations shall be
4 permitted to distribute voter registration cards anywhere within
5 the county.

6 (1) An individual or organization that distributes voter
7 registration cards designed pursuant to subdivision (a) of Section
8 2157 shall obtain the voter registration cards from the county
9 elections official or the Secretary of State. The individual or
10 organization shall comply with all applicable regulations
11 established by the Secretary of State when distributing the cards.

12 (2) If, after completing his or her voter registration card, an
13 elector entrusts it to another person, the latter shall sign and date
14 the attached, numbered receipt indicating his or her address and
15 telephone number, if any, and give the receipt to the elector. Failure
16 to comply with this paragraph shall not cause the invalidation of
17 the registration of a voter.

18 (3) An individual or organization that distributes voter
19 registration cards designed pursuant to subdivision (a) of Section
20 2157 shall give a voter registration card to any elector requesting
21 it, provided that the individual or organization has a sufficient
22 number of cards.

23 (4) If distribution of voter registration cards pursuant to this
24 subdivision is undertaken by mailing cards to persons who have
25 not requested the cards, the person mailing the cards shall enclose
26 a cover letter or other notice with each card instructing the
27 recipients to disregard the cards if they are currently registered
28 voters.

29 (c) Mail a voter registration card immediately to a person who
30 wishes to register to vote and requests a voter registration card.

31 *SEC. 32. Section 2160 of the Elections Code is repealed.*

32 ~~2160. (a) Each affidavit of registration issued to a deputy~~
33 ~~registrar of voters shall meet the requirements prescribed by~~
34 ~~Section 2157, except that the voter registration card shall be~~
35 ~~modified, pursuant to regulations adopted by the Secretary of State,~~
36 ~~to reflect the use of a deputy registrar of voters in lieu of mail~~
37 ~~delivery. A stub, separated from the body of the voter registration~~
38 ~~card by a perforated line, shall be attached to each affidavit. Upon~~
39 ~~the stub shall be printed the following:~~

40 ~~(1) The number of the affidavit.~~

1 ~~(2) Blank lines for the following information:~~

2 ~~(A) The name of the voter.~~

3 ~~(B) The residence of the voter.~~

4 ~~(C) The political affiliation of the voter.~~

5 ~~(D) The signature of the voter.~~

6 ~~(E) The signature of the deputy taking the registration.~~

7 ~~(F) The date.~~

8 ~~At the time of registering the voter, the deputy shall fill in the~~
9 ~~blanks in the stub, and require the voter to sign the stub in the place~~
10 ~~provided. The deputy shall then detach the stub and the~~
11 ~~informational portion of the voter registration form from the~~
12 ~~affidavit and hand the stub and information to the voter.~~

13 ~~(b) The Secretary of State may continue to supply existing~~
14 ~~affidavits of registration prior to printing new or revised forms~~
15 ~~that reflect the changes required pursuant to this section, Section~~
16 ~~2150, or Section 2157.~~

17 *SEC. 33. Section 2163 of the Elections Code is amended to*
18 *read:*

19 2163. The Secretary of State shall prepare and print or cause
20 to be printed an appropriate voter registration logo that may be
21 displayed on the windows of by offices, stores, and other
22 establishments indicating the availability of voter registration cards
23 for the public. The Secretary of State, upon request, shall provide
24 these logos free of charge to any interested person or organization
25 that distributes voter registration cards.

26 *SEC. 34. Section 2165 of the Elections Code is amended to*
27 *read:*

28 2165. Affidavits of registration for the whole of each county
29 shall be filed, as fast as the registration progresses, in any orderly
30 arrangement as prescribed by the county elections official. If the
31 affidavits are not filed alphabetically without regard to precinct,
32 the county elections official shall, by electronic, electromechanical,
33 or other suitable means, provide, for general use in his or her office,
34 a comprehensive, printed alphabetical index to the surnames of
35 voters on all uncanceled affidavits for the whole of the county,
36 whereby the affidavit of registration of any voter may be
37 ascertained and produced. In the case of voters having the same
38 surname, the classification of names appearing on the index shall
39 extend to the given and, where necessary, the middle name or
40 initial shall be processed immediately.

1 *SEC. 35. Section 2166 of the Elections Code is amended to*
2 *read:*

3 2166. (a) Any person filing with the county elections official
4 a new affidavit of registration or reregistration may have the
5 information relating to his or her residence address, telephone
6 number, and e-mail address appearing on the affidavit, or any list
7 or roster or index prepared therefrom, declared confidential upon
8 order of a superior court issued upon a showing of good cause that
9 a life-threatening circumstance exists to the voter or a member of
10 the voter's household, and naming the county elections official as
11 a party.

12 (b) Any person granted ~~confidentiality~~ *confidential voter status*
13 under subdivision (a) shall:

14 (1) ~~Be~~ *Provide a valid mailing address and be* considered a
15 vote by mail voter for all subsequent elections or until the county
16 elections official is notified otherwise by the court or in writing
17 by the voter. A voter requesting termination of vote by mail status
18 thereby consents to placement of his or her residence address,
19 telephone number, and e-mail address in the roster of voters.

20 (2) ~~In addition to the required residence address, provide a valid~~
21 ~~mailing address to be used in place of the residence address for~~
22 ~~election, scholarly, or political research, and government purposes.~~
23 The elections official, in producing any list, roster, or index ~~may,~~
24 ~~at his or her choice, use the valid mailing address or the word~~
25 ~~"confidential" or some similar designation in place of the residence~~
26 ~~address shall exclude voters with a confidential voter status.~~

27 (3) *Within 60 days of moving to a new county, obtain an order*
28 ~~from the superior court of the new county pursuant to subdivision~~
29 ~~(a). The elections official of the new county, upon notice of the~~
30 ~~confidential voter moving into the county, shall do all of the~~
31 ~~following:~~

32 (A) *Contact the confidential voter and provide information*
33 ~~regarding the application for confidential voter status in the new~~
34 ~~county.~~

35 (B) *Honor the confidential voter status from the former county*
36 ~~for 60 days from the date of notice.~~

37 (C) *Pursuant to paragraph (2) of subdivision (b), exclude the*
38 ~~confidential voter in any list, roster, or index during the 60-day~~
39 ~~period.~~

1 (D) Remove the confidential voter status if the new voter has
2 not provided a court order to the new county during the 60-day
3 period.

4 (c) No action in negligence may be maintained against any
5 government entity or officer or employee thereof as a result of the
6 disclosure of the information which is the subject of this section
7 unless by a showing of gross negligence or willfulness.

8 SEC. 36. Section 2166.5 of the Elections Code is amended to
9 read:

10 2166.5. (a) Any person filing with the county elections official
11 a new affidavit of registration or reregistration may have the
12 information relating to his or her residence address, telephone
13 number, and e-mail address appearing on the affidavit, or any list
14 or roster or index prepared therefrom, declared confidential upon
15 presentation of certification that the person is a participant in the
16 Address Confidentiality for Victims of Domestic Violence, Sexual
17 Assault, and Stalking program pursuant to Chapter 3.1
18 (commencing with Section 6205) of Division 7 of Title 1 of the
19 Government Code or a participant in the Address Confidentiality
20 for Reproductive Health Care Service Providers, Employees,
21 Volunteers, and Patients program pursuant to Chapter 3.2
22 (commencing with Section 6215) of that division.

23 (b) Any person granted ~~confidentiality~~ confidential voter status
24 under subdivision (a) shall:

25 (1) ~~Be~~ Provide a valid mailing address and be considered a
26 vote by mail voter for all subsequent elections ~~or and all~~
27 ~~subsequent reregistrations inside or outside the county~~ until the
28 county elections official is notified otherwise by the Secretary of
29 State or in writing by the voter. A voter requesting termination of
30 vote by mail status thereby consents to placement of his or her
31 residence address, telephone number, and e-mail address in the
32 roster of voters.

33 (2) ~~In addition to the required residence address, provide a valid~~
34 ~~mailing address to be used in place of the residence address for~~
35 ~~election, scholarly, or political research, and government purposes.~~
36 The elections official, in producing any list, roster, or index ~~may,~~
37 ~~at his or her choice, use the valid mailing address or the word~~
38 ~~“confidential” or some similar designation in place of the residence~~
39 ~~address shall exclude voters with a confidential voter status.~~

1 (c) No action in negligence may be maintained against any
2 government entity or officer or employee thereof as a result of the
3 disclosure of the information that is the subject of this section
4 unless by a showing of gross negligence or willfulness.

5 (d) Subdivisions (a) and (b) shall not apply to any person granted
6 confidentiality upon receipt by the county elections official of a
7 written notice by the address confidentiality program manager of
8 the withdrawal, invalidation, expiration, or termination of the
9 program participant's certification.

10 SEC. 37. *Section 2166.7 of the Elections Code is amended to*
11 *read:*

12 2166.7. (a) If authorized by his or her county board of
13 supervisors, a county elections official shall, upon application of
14 a public safety officer, make confidential that officer's residence
15 address, telephone number, and e-mail address appearing on the
16 affidavit of registration, in accordance with the terms and
17 conditions of this section.

18 (b) The application by the public safety officer shall contain a
19 statement, signed under penalty of perjury, that the person is a
20 public safety officer as defined in subdivision (f) and that a
21 life-threatening circumstance exists to the officer or a member of
22 the officer's family. The application shall be a public record.

23 (c) The confidentiality granted pursuant to subdivision (a) shall
24 terminate no more than two years after commencement, as
25 determined by the county elections official. The officer may submit
26 a new application for confidentiality pursuant to subdivision (a),
27 and the new request may be granted for an additional period of
28 not more than two years.

29 (d) Any person granted ~~confidentiality~~ *confidential voter status*
30 under subdivision (a) shall:

31 (1) ~~Be~~ *Provide a valid mailing address and be* considered a
32 vote by mail voter for all subsequent elections or until the county
33 elections official is notified otherwise by the Secretary of State or
34 in writing by the voter. A voter requesting termination of vote by
35 mail status thereby consents to placement of his or her residence
36 address, telephone number, and e-mail address in the roster of
37 voters.

38 (2) ~~In addition to the required residence address, provide a valid~~
39 ~~mailing address to be used in place of the residence address for~~
40 ~~election, scholarly, or political research, and government purposes.~~

1 The elections official, in producing any list, roster, or index may,
2 at his or her choice, use the valid mailing address or the word
3 “confidential” or some similar designation in place of the residence
4 address index, shall exclude voters with a confidential voter status.

5 (3) Within 60 days of moving to a new county, if available in
6 the new county, apply for confidential voter status pursuant to
7 subdivision (a). The elections official of the new county, upon
8 notice of the confidential voter moving into the county, shall do
9 all of the following:

10 (A) Contact the confidential voter and provide information
11 regarding the application for confidential voter status in the new
12 county.

13 (B) Honor the confidential voter status from the former county
14 for 60-days from the date of notice.

15 (C) Pursuant to paragraph (2) of subdivision (b), exclude the
16 confidential voter in any list, roster, or index during the 60-day
17 period.

18 (D) Remove the confidential voter status if the new voter has
19 not provided a court order to the new county during the 60-day
20 period.

21 (e) No action in negligence may be maintained against any
22 government entity or officer or employee thereof as a result of the
23 disclosure of the information that is the subject of this section
24 unless by a showing of gross negligence or willfulness.

25 (f) “A public safety officer” has the same meaning as defined
26 in subdivision (a), (d), (e), (f), or (j) of Section 6254.24 of the
27 Government Code.

28 SEC. 38. Section 2168 of the Elections Code is amended to
29 read:

30 2168. ~~(a)~~ The Secretary of State shall establish and maintain
31 a statewide system to facilitate removal of duplicate or prior
32 registrations, to facilitate the reporting of election results and voter
33 and candidate information, and to otherwise administer and
34 enhance election administration.

35 ~~(b)~~ The statewide system established pursuant to this section
36 shall not replace county voter registration systems or processes.

37 SEC. 39. Section 2180 of the Elections Code is repealed.

38 2180. ~~(a)~~ At least once, and more often if he or she deems it
39 necessary, within each two-year period commencing on the first
40 day of January in each odd-numbered year, the county elections

1 official shall have printed a complete index, by precinct, to the
2 affidavits of registration current at the date of printing.

3 (b) (1) The index shall contain the name, address, residence
4 telephone number if furnished, and political affiliation of each
5 voter, and also a ruled space to the left of each name, within which
6 to write, in figures, the line number designating the position of the
7 name of the voter on the roster of voters.

8 (2) The name shall include the given name and the middle name
9 or initials, if any. At the affiant's option, the given name may be
10 preceded by the designation "Miss," "Ms.," "Mrs.," or "Mr."

11 (c) The index shall be printed in a size no smaller than
12 eight-point roman type on eight-point body and shall be arranged
13 in alphabetical order in accordance with the surnames of the voters.

14 (d) A space of not less than one-quarter inch or one line of
15 printing shall be left between the names of voters beginning with
16 one letter of the alphabet and those starting with the next letter of
17 the alphabet.

18 (e) Supplements of the same content and style may be printed
19 as need for them appears.

20 *SEC. 40. Section 2181 of the Elections Code is repealed.*

21 2181. In addition to printing a complete index within and for
22 each two-year period, as provided in Section 2180, the county
23 elections official may print and maintain one complete and
24 continuing index, by precinct, to the affidavits of registration and
25 keep the index current by supplements and deletions as provided
26 in Sections 2180 and 2183, and by reprinting portions of the index
27 by precinct, as the need appears, the reprinted portions to contain
28 the same information concerning each voter and to be in the same
29 style, spacing, and type of print as provided in Section 2180.

30 *SEC. 41. Section 2182 of the Elections Code is repealed.*

31 2182. The number of copies of the precinct index printed shall
32 be as many as in the judgment of the county elections official may
33 be necessary for the business of the office. In counties where the
34 precinct index is printed by means of a punched card or other
35 high-speed data processing equipment, the number of copies of
36 precinct indexes so prepared shall be the number required to be
37 furnished by law and as many more as in the judgment of the
38 county elections official may be necessary for the business of the
39 office.

1 *SEC. 42. Section 2183 of the Elections Code is amended to*
2 *read:*

3 2183. (a) The elections official shall supply ~~copies an~~
4 ~~electronic copy, or paper copy upon request,~~ of the index and of
5 supplements to the index, necessary to bring it up to date, for all
6 elections to be held within the county. The county elections official
7 shall also supply ~~as many~~ copies of the index and supplements;
8 ~~not to exceed four in number,~~ as may be requested by the elections
9 official of a city, school district or other body. The name of each
10 voter whose affidavit of registration has been canceled shall be
11 ~~lined out of shall be removed from~~ the index and supplement. The
12 county elections official may charge an amount ~~as will sufficient~~
13 to reimburse the county for the expense incurred in preparing and
14 furnishing ~~lined out the~~ indexes of registrations and supplements
15 ~~other than for those provided for by Sections 2180 and 2182.~~

16 ~~In the case of a municipal election, an index provided pursuant~~
17 ~~to this section shall be supplied to the city elections official not~~
18 ~~less than 25 days prior to the day of the election for which it is~~
19 ~~provided. If the index does not contain the names of all people~~
20 ~~eligible to vote in the election, the county elections official shall~~
21 ~~supply a supplement to the index, including all voters who~~
22 ~~registered after the 54th day before the election, not less than seven~~
23 ~~days prior to the election for which it is provided.~~

24 (b) (1) *The index shall contain the name, address, residence*
25 *telephone number if furnished, and political preference of each*
26 *voter, and also a ruled space to the left of each name, within which*
27 *to write, in figures, the line number designating the position of the*
28 *name of the voter on the roster of voters.*

29 (2) *The name shall include the given name and the middle name*
30 *or initials, if any. At the affiant's option, the given name may be*
31 *preceded by the designation "Miss," "Ms.," "Mrs.," or "Mr."*

32 *SEC. 43. Section 2184 of the Elections Code is amended to*
33 *read:*

34 2184. Upon ~~demand~~ request of any Member of the Legislature,
35 of Congress, or any candidate who is to be voted for in the county,
36 in a city therein, or in a political subdivision of either, or upon
37 written demand of his or her campaign committee, of any
38 committee for or against any proposed ballot measure, or of any
39 committee for or against any referendum or initiative measure for
40 which legal publication has been made, the county elections official

1 shall furnish to the Member of the Legislature, of Congress, or to
2 either the candidate or his or her campaign committee or to the
3 ballot measure committee ~~no more than two copies of the printed~~
4 ~~indexes~~ the index of the registration for the primary and general
5 elections in which the Member of the Legislature or Congress may
6 participate as a candidate, or for the election in which the candidate
7 will participate, or the ballot measure will be voted upon, at a
8 charge of fifty cents (\$0.50) per thousand names. All moneys
9 collected shall be deposited in the county treasury to the credit of
10 the general fund.

11 *SEC. 44. Section 2185 of the Elections Code is amended to*
12 *read:*

13 2185. Upon written ~~demand~~ request of the chair or vice chair
14 of a party state central committee or of the chair of a party county
15 central committee, the county elections official shall furnish to
16 each committee, without charge therefor, the index of registration
17 for the primary and general elections, for any special election at
18 which a partisan office is to be filled, or for any statewide special
19 election. ~~The index of registration shall be furnished to the~~
20 ~~committee demanding the index not less than 25 days prior to the~~
21 ~~day of the primary, general, or special election for which they are~~
22 ~~provided. Upon written demand, the county elections official shall~~
23 ~~also furnish to the committee the index of registration of voters~~
24 ~~who registered after the 54th day before the election, which shall~~
25 ~~be compiled and prepared by Assembly districts. The county~~
26 ~~elections official shall furnish either two printed copies or, if~~
27 ~~available, one copy per election in an electronic form, or in paper~~
28 ~~form upon request, of the indexes specified in this section.~~

29 *SEC. 45. Section 2187 of the Elections Code is amended to*
30 *read:*

31 2187. (a) Each county elections official shall ~~send to the~~
32 ~~Secretary of State, in a format described by the Secretary of State,~~
33 ~~a summary statement of the number of voters in the county. The~~
34 ~~statement shall show the total number of voters in the county, the~~
35 ~~number registered as affiliated with each qualified political party,~~
36 ~~the number registered in nonqualified parties, and the number who~~
37 ~~declined to state any party affiliation. The statement shall also~~
38 ~~show the number of voters, by political affiliations, in each city,~~
39 ~~supervisory district, Assembly district, Senate district, and~~
40 ~~congressional district located in whole or in part within the county.~~

1 *provide notice to the Secretary of State that the following*
2 *information is available:*

3 *(1) The total number of voters in the county.*

4 *(2) The number registered as preferring each qualified political*
5 *party.*

6 *(3) The number registered as preferring nonqualified parties.*

7 *(4) The number registered without choosing a political party*
8 *preference.*

9 *(5) The number of voters by political preferences in each of the*
10 *following political subdivisions, located in whole or in part within*
11 *the county:*

12 *(A) A supervisorial district.*

13 *(B) Congressional district.*

14 *(C) Senate district.*

15 *(D) Assembly district.*

16 *(E) Board of Equalization district.*

17 *(F) Cities and unincorporated areas.*

18 *(b) The Secretary of State, on the basis of the statements sent*
19 *by the county elections officials and within 30 days after receiving*
20 *those statements the information specified in subdivision (a), shall*
21 *compile a statewide list showing the number of voters, by party*
22 *affiliations preferences, in the state and in each county, city,*
23 *supervisorial district, Assembly district, Senate district, and*
24 *congressional district in the state. A copy of this list shall be made*
25 *available, upon request, to any elector in this state.*

26 ~~*(c) Each county that uses data-processing equipment to store*~~
27 ~~*the information set forth in the affidavit of registration shall send*~~
28 ~~*to the Secretary of State one copy of the electronic data file with*~~
29 ~~*the information requested by the Secretary of State. Each county*~~
30 ~~*that does not use data-processing storage shall send to the Secretary*~~
31 ~~*of State one copy of the index setting forth that information.*~~

32 ~~*(d)*~~

33 ~~*(c) The summary statements and the electronic data file copy*~~
34 ~~*or the index shall be sent county elections officials shall prepare*~~
35 ~~*the information referenced in subdivision (a) and provide notice*~~
36 ~~*to the Secretary of State at the following times:*~~

37 *(1) On the 135th day before each presidential primary and before*
38 *each direct primary, with respect to voters registered on the 154th*
39 *day before the primary election.*

1 (2) Not less than 50 days prior to the primary election, with
2 respect to voters registered on the 60th day before the primary
3 election.

4 (3) Not less than seven days prior to the primary election, with
5 respect to voters registered before the 14th day prior to the primary
6 election.

7 (4) Not less than 102 days prior to each presidential general
8 election, with respect to voters registered before the 123rd day
9 before the presidential general election.

10 (5) Not less than 50 days prior to the general election, with
11 respect to voters registered on the 60th day before the general
12 election.

13 (6) Not less than seven days prior to the general election, with
14 respect to voters registered before the 14th day prior to the general
15 election.

16 (7) On or before March 1 of each odd-numbered year, with
17 respect to voters registered as of February 10.

18 ~~(e) The Secretary of State may adopt regulations prescribing~~
19 ~~the content and format of the electronic data file or index referred~~
20 ~~to in subdivision (c) that contains the registered voter information~~
21 ~~from the affidavits of registration.~~

22 ~~(f)~~

23 (d) The Secretary of State may adopt regulations prescribing
24 additional regular reporting times, except that the total number of
25 reporting times in any one calendar year shall not exceed 12.

26 ~~(g) The Secretary of State shall make the information from the~~
27 ~~electronic data files or the printed indexes available, under~~
28 ~~conditions prescribed by the Secretary of State, to any candidate~~
29 ~~for federal, state, or local office, to any committee for or against~~
30 ~~any proposed ballot measure, to any committee for or against any~~
31 ~~initiative or referendum measure for which legal publication is~~
32 ~~made, and to any person for election, scholarly or political research,~~
33 ~~or governmental purposes as determined by the Secretary of State.~~

34 ~~(h) For purposes of this section, "electronic data file" means~~
35 ~~either a magnetic tape or a data file in an alternative electronic~~
36 ~~format, at the discretion of the county elections official.~~

37 *SEC. 46. Section 2188 of the Elections Code is amended to*
38 *read:*

39 2188. (a) Any application for voter registration information
40 available pursuant to law and maintained by the Secretary of State

1 or by the elections official of any county shall be made pursuant
2 to this section.

3 (b) The application shall set forth all of the following:

4 (1) The printed or typed name of the applicant in full.

5 (2) The complete residence address and complete business
6 address of the applicant, giving street and number. If no street or
7 number exists, a postal mailing address as well as an adequate
8 designation sufficient to readily ascertain the location.

9 (3) The telephone number of the applicant, if one exists.

10 (4) The number of the applicant's driver's license, state
11 identification card, or other identification approved by the Secretary
12 of State if the applicant does not have a driver's license or state
13 identification card.

14 (5) The specific information requested.

15 (6) A statement of the intended use of the information requested.

16 (c) If the application is on behalf of a person other than the
17 applicant, the applicant shall, in addition to the information
18 required by subdivision (b), set forth all of the following:

19 (1) The name of the person, organization, company, committee,
20 association, or group requesting the voter registration information,
21 including their complete mailing address and telephone number.

22 (2) The name of the person authorizing or requesting the
23 applicant to obtain the voter registration information.

24 (d) The elections official shall request the applicant to display
25 his or her identification for purposes of verifying that identifying
26 numbers of the identification document match those written by
27 the applicant on the application form.

28 (e) The applicant shall certify to the truth and correctness of the
29 content of the application, under penalty of perjury, with the
30 signature of his or her name at length, including given name,
31 middle name or initial, or initial and middle name. The applicant
32 shall state the date and place of execution of the declaration.

33 (f) Completed applications for voter registration information
34 shall be retained by the elections official for five years from the
35 date of application.

36 (g) This section shall not apply to requests for information by
37 elections officials for election purposes or by other public agencies
38 for governmental purposes.

39 (h) The Secretary of State may prescribe additional information
40 to be included in the application for voter registration information.

1 (i) A county may not provide information for any political
2 subdivision that is not wholly or partially contained within that
3 county.

4 SEC. 47. Section 2188.1 of the Elections Code is amended to
5 read:

6 2188.1. The Secretary of State shall ~~study the feasibility of~~
7 ~~inserting~~ may insert fictitious names of voters into the voter
8 registration information database as ~~a possible~~ an investigative
9 and enforcement tool for determining inappropriate or unauthorized
10 uses of voter registration information.

11 SEC. 48. Section 2188.5 of the Elections Code is amended to
12 read:

13 2188.5. (a) A person who requests voter information pursuant
14 to Section 2188 or who obtains signatures or other information
15 collected for an initiative, referendum, *political party qualification*,
16 or recall petition shall not send that information outside of the
17 United States or make it available in any way electronically to
18 persons outside the United States, including, but not limited to,
19 access over the Internet. ~~(b)~~

20 (b) For purposes of this section, "United States" includes each
21 of the several states of the United States, the District of Columbia,
22 and the territories and possessions of the United States.

23 SEC. 49. Section 2190 of the Elections Code is repealed.

24 2190. ~~If the county elections official maintains tabulating cards~~
25 ~~containing the information set forth in the affidavits of registration~~
26 ~~of voters, or sets forth that information on electronic data~~
27 ~~processing tape, he or she shall provide, upon request, not less~~
28 ~~than 30 days prior to each direct primary election and general~~
29 ~~election, one set of those cards or a copy of the tape to the county~~
30 ~~central committee of a party for all voters allowed to participate~~
31 ~~in the subsequent direct primary election or general election. The~~
32 ~~county elections official shall also furnish to the county central~~
33 ~~committee, not less than seven days prior to each direct primary~~
34 ~~election and general election, one set of those cards or a copy of~~
35 ~~the tape of those voters who registered after the 54th day before~~
36 ~~the election. The cards or tape shall be provided without charge,~~
37 ~~except that the county central committee shall provide a~~
38 ~~replacement for the tape.~~

39 In addition to those provided to county central committees, the
40 county elections official shall provide, upon request, a set of cards

1 or a copy of a tape to any candidate or committee specified in
2 Section 2184, provided that the candidate or committee reimburses
3 the county for whatever actual costs are involved in providing this
4 service.

5 *SEC. 50. Section 2191 of the Elections Code is amended to*
6 *read:*

7 2191. ~~The~~ Upon request, the elections official shall compile
8 an index, list, or file, by precinct, of all persons who voted in the
9 ~~previous statewide general election~~ *previous elections*. This
10 information shall be compiled in conjunction with the purge of
11 voter registration files conducted pursuant to Article 2
12 (commencing with Section 2220) of Chapter 3.

13 Information compiled pursuant to this section shall include that
14 information which is required to appear in the index as set forth
15 in Section ~~2180~~ 2183.

16 Any person, candidate, or committee who is entitled to obtain a
17 copy of any information contained in this article shall, upon written
18 request to the elections official, be entitled to obtain the index, list,
19 or file compiled pursuant to this section. The elections official
20 shall inform any recipient of this information as to whether the
21 index, list, or file includes a voting history of vote by mail voters.
22 The elections official may require the payment of a fee not to
23 exceed the cost of duplicating the information ~~or providing the~~
24 ~~tape~~ as a condition to furnishing the information contained in this
25 section.

26 ~~If the elections official uses data-processing equipment, he or~~
27 ~~she shall make the index available on a data-processing tape file~~
28 ~~on request. The elections official shall be required to retain this~~
29 ~~file until the next November general election in an even-numbered~~
30 ~~year has been conducted.~~

31 *SEC. 51. Section 2192 of the Elections Code is repealed.*

32 2192. ~~Notwithstanding anything contained in this article, in~~
33 ~~any county in which tabulating equipment is used to produce the~~
34 ~~indexes of registration, the indexes shall be furnished to persons,~~
35 ~~committees, and agencies as provided in this article by street~~
36 ~~addresses in numerical order, but the indexes may be maintained~~
37 ~~in alphabetical order. In the event the county contains precincts~~
38 ~~for which the majority of voters have no street addresses, the~~
39 ~~indexes for those precincts may be arranged and furnished for all~~

1 ~~purposes in alphabetical order in accordance with the surnames of~~
2 ~~voters.~~

3 *SEC. 52. Section 2193 of the Elections Code is amended to*
4 *read:*

5 2193. The Secretary of State shall, ~~upon the request of a county~~
6 ~~elections official, compile, from the information furnished by the~~
7 ~~county elections officials pursuant to Section 2187, a file of~~
8 ~~potential identify possible duplicate voter registrations. The county~~
9 ~~elections official may immediately cancel those~~ *Those* voter
10 ~~registrations which, upon investigation, are determined to be~~
11 ~~duplicates. The may be merged and the voter registration bearing~~
12 ~~the later most recent date shall remain in effect~~ *be the active record*
13 *for that voter.*

14 *SEC. 53. Section 2194 of the Elections Code is amended to*
15 *read:*

16 2194. (a) Except as provided in Section 2194.1, the affidavit
17 of voter registration information identified in Section 6254.4 of
18 the Government Code:

19 (1) Shall be confidential and shall not appear on any computer
20 terminal, list, affidavit, duplicate affidavit, or other medium
21 routinely available to the public at the county elections official's
22 office.

23 (2) Shall not be used for any personal, private, or commercial
24 purpose, including, but not limited to:

25 (A) The harassment of any voter or voter's household.

26 (B) The advertising, solicitation, sale, or marketing of products
27 or services to any voter or voter's household.

28 (C) Reproduction in print, broadcast visual or audio, or display
29 on the Internet or any computer terminal unless pursuant to
30 paragraph (3).

31 (3) Shall be provided with respect to any voter, subject to the
32 provisions of Sections ~~2166~~, 2166.5, 2166.7, and 2188, to any
33 candidate for federal, state, or local office, to any committee for
34 or against any initiative or referendum measure for which legal
35 publication is made, and to any person for election, scholarly,
36 journalistic, or political purposes, or for governmental purposes,
37 as determined by the Secretary of State.

38 (b) (1) Notwithstanding any other law, the California driver's
39 license number, the California identification card number, the
40 social security number, and any other unique identifier used by

1 the State of California for purposes of voter identification shown
2 on the affidavit of voter registration of a registered voter, or added
3 to voter registration records to comply with the requirements of
4 the federal Help America Vote Act of 2002-~~(42~~ (52 U.S.C. Sec.
5 ~~15301~~ 20901 et seq.), are confidential and shall not be disclosed
6 to any person.

7 (2) Notwithstanding any other law, the signature of the voter
8 shown on the affidavit of voter registration *or an image thereof* is
9 confidential and shall not be disclosed to any person, except as
10 provided in subdivision (c).

11 (c) (1) The home address or signature of any voter shall be
12 released whenever the person's vote is challenged pursuant to
13 Sections 15105 to 15108, inclusive, or Article 3 (commencing
14 with Section 14240) of Chapter 3 of Division 14. The address or
15 signature shall be released only to the challenger, to elections
16 officials, and to other persons as necessary to make, defend against,
17 or adjudicate the challenge.

18 (2) An elections official shall permit a person to view the
19 signature of a voter for the purpose of determining whether the
20 signature matches a signature on an affidavit of registration *or an*
21 *image thereof* or a petition, but shall not permit a signature to be
22 copied.

23 (d) A governmental entity, or officer or employee thereof, shall
24 not be held civilly liable as a result of disclosure of the information
25 referred to in this section, unless by a showing of gross negligence
26 or willfulness.

27 (e) For the purposes of this section, "voter's household" is
28 defined as the voter's place of residence or mailing address or any
29 persons who reside at the place of residence or use the mailing
30 address as supplied on the affidavit of registration pursuant to
31 paragraphs (3) and (4) of subdivision (a) of Section 2150.

32 *SEC. 54. Section 2196 of the Elections Code is amended to*
33 *read:*

34 2196. (a) (1) Notwithstanding any other provision of law, a
35 person who is qualified to register to vote and who has a valid
36 California driver's license or state identification card may submit
37 an affidavit of voter registration electronically on the Internet Web
38 site of the Secretary of State.

39 (2) An affidavit submitted pursuant to this section is effective
40 upon receipt of the affidavit by the Secretary of State if the affidavit

1 is received on or before the last day to register for an election to
2 be held in the precinct of the person submitting the affidavit.

3 (3) The affiant shall affirmatively attest to the truth of the
4 information provided in the affidavit.

5 (4) For voter registration purposes, the applicant shall
6 affirmatively assent to the use of his or her signature from his or
7 her driver's license or state identification card.

8 (5) For each electronic affidavit, the Secretary of State shall
9 obtain an electronic copy of the applicant's signature from his or
10 her driver's license or state identification card directly from the
11 Department of Motor Vehicles.

12 (6) The Secretary of State shall require a person who submits
13 an affidavit pursuant to this section to submit all of the following:

14 (A) The number from his or her California driver's license or
15 state identification card.

16 (B) His or her date of birth.

17 (C) The last four digits of his or her social security number.

18 (D) Any other information the Secretary of State deems
19 necessary to establish the identity of the affiant.

20 (7) Upon submission of an affidavit pursuant to this section, the
21 electronic voter registration system shall provide for immediate
22 verification of both of the following:

23 (A) That the applicant has a California driver's license or state
24 identification card and that the number for that driver's license or
25 identification card provided by the applicant matches the number
26 for that person's driver's license or identification card that is on
27 file with the Department of Motor Vehicles.

28 (B) That the date of birth provided by the applicant matches the
29 date of birth for that person that is on file with the Department of
30 Motor Vehicles.

31 (8) The Secretary of State shall employ security measures to
32 ensure the accuracy and integrity of voter registration affidavits
33 submitted electronically pursuant to this section.

34 (b) The Department of Motor Vehicles shall utilize the electronic
35 voter registration system required by this section to comply with
36 its duties and responsibilities as a voter registration agency pursuant
37 to the federal National Voter Registration Act of 1993—(42 (52
38 U.S.C. Sec. 1973gg 20501 et seq.).

39 (c) The Department of Motor Vehicles and the Secretary of
40 State shall ~~develop~~ *maintain* a process and the infrastructure to

1 allow the electronic copy of the applicant's signature and other
2 information required under this section that is in the possession of
3 the department to be transferred to the Secretary of State and to
4 the county election management systems to allow a person who
5 is qualified to register to vote in California to register to vote under
6 this section.

7 (d) If an applicant cannot electronically submit the information
8 required pursuant to paragraph (6) of subdivision (a), he or she
9 shall nevertheless be able to complete the affidavit of voter
10 registration electronically on the Secretary of State's Internet Web
11 site, print a hard copy of the completed affidavit, and mail or
12 deliver the hard copy of the completed affidavit to the Secretary
13 of State or the appropriate county elections official.

14 ~~(e) This chapter shall become operative upon the date that either~~
15 ~~of the following occurs:~~

16 ~~(1) The Secretary of State certifies that the state has a statewide~~
17 ~~voter registration database that complies with the requirements of~~
18 ~~the federal Help America Vote Act of 2002 (42 U.S.C. Sec. 15301~~
19 ~~et seq.).~~

20 ~~(2) The Secretary of State executes a declaration stating that all~~
21 ~~of the following conditions have occurred:~~

22 ~~(A) The United States Election Assistance Commission has~~
23 ~~approved the use of the federal Help America Vote Act of 2002~~
24 ~~(42 U.S.C. Sec. 15301) funding to provide online voter registration~~
25 ~~in advance of the deployment of the statewide voter registration~~
26 ~~database or other federal funding is available and approved for the~~
27 ~~same purpose.~~

28 ~~(B) The Department of Motor Vehicles and the Secretary of~~
29 ~~State have developed a process and the infrastructure necessary~~
30 ~~to implement paragraph (5) of subdivision (a).~~

31 ~~(C) All county election management systems have been modified~~
32 ~~to receive and store electronic voter registration information~~
33 ~~received from the Secretary of State in order to allow a person~~
34 ~~who is qualified to register to vote in California to register to vote~~
35 ~~under this section.~~

36 ~~(f) For purposes of implementing this chapter as expeditiously~~
37 ~~as possible, if it becomes operative pursuant to paragraph (2) of~~
38 ~~subdivision (e), the Secretary of State's office shall be exempt~~
39 ~~from information technology requirements included in Sections~~
40 ~~11545, 11546, and 11547 of the Government Code and Section~~

1 ~~12100 of the Public Contract Code, and from information~~
2 ~~technology project and funding approvals included in any other~~
3 ~~provision of law.~~

4 *SEC. 55. Section 2200 of the Elections Code is amended to*
5 *read:*

6 2200. The registration of a voter is permanent for all purposes
7 during his or her life, unless and until the affidavit of registration
8 is canceled by the *Secretary of State or the* county elections official
9 for any of the causes specified in this article.

10 *SEC. 56. Section 2201 of the Elections Code is amended to*
11 *read:*

12 2201. (a) *The county elections official shall cancel the*
13 *registration in the following cases:*

14 ~~(a)~~

15 (1) At the signed, written request of the person registered.

16 ~~(b)~~

17 (2) When the mental incompetency of the person registered is
18 legally established as provided in Sections 2208, 2209, 2210, and
19 2211.

20 ~~(c)~~

21 (3) Upon proof that the person is presently imprisoned or on
22 parole for conviction of a felony.

23 ~~(d)~~

24 (4) Upon the production of a certified copy of a judgment
25 directing the cancellation to be made.

26 ~~(e)~~

27 (5) Upon the death of the person registered.

28 ~~(f)~~

29 (6) Pursuant to Article 2 (commencing with Section 2220).

30 ~~(g)~~

31 (7) Upon official notification that the voter is registered to vote
32 in another county or state.

33 ~~(h)~~

34 (8) Upon proof that the person is otherwise ineligible to vote.

35 (b) *The Secretary of State may cancel the registration in the*
36 *following cases:*

37 (1) *When the mental incompetency of the person registered is*
38 *legally established as provided in Sections 2208, 2209, 2210, and*
39 *2211.*

1 (2) *Upon proof that the person is presently imprisoned or on*
2 *parole for conviction of a felony.*

3 (3) *Upon the death of the person registered.*

4 SEC. 57. *Section 2202 of the Elections Code is amended to*
5 *read:*

6 2202. (a) The county elections official shall preserve all
7 uncanceled affidavits of registration in a secure manner that will
8 protect the confidentiality of the voter information consistent with
9 Section 2194.

10 The affidavits of registration shall constitute the register required
11 to be kept by Article 5 (commencing with Section ~~2180~~) 2183) of
12 Chapter 2.

13 (b) In lieu of maintaining uncanceled affidavits of registration,
14 the county elections official may, ~~following the first general~~
15 ~~election after the date of registration,~~ microfilm, record on optical
16 disc, or record on any other electronic medium that does not permit
17 additions, deletions, or changes to the original document, the
18 uncanceled affidavits of registration. Any such use of an electronic
19 medium to record uncanceled affidavits shall protect the security
20 and confidentiality of the voter information. The county elections
21 official may dispose of any uncanceled affidavits of registration
22 transferred pursuant to this section. The disposal of any uncanceled
23 affidavits shall be performed in a manner that does not compromise
24 the security or confidentiality of the voter information contained
25 therein. ~~Any medium utilized by the county elections official shall~~
26 ~~meet the minimum standards, guidelines, or both, as recommended~~
27 ~~by the American National Standards Institute or the Association~~
28 ~~of Information and Image Management.~~ For purposes of this
29 section, a duplicate copy of an affidavit of registration shall be
30 deemed an original. *The Secretary of State may adopt appropriate*
31 *regulations for the purpose of this section.*

32 SEC. 58. *Section 2203 of the Elections Code is repealed.*

33 ~~2203. (a) Cancellation is made by writing or stamping on the~~
34 ~~affidavit of registration the word “canceled,” the reason the~~
35 ~~affidavit was canceled, and the date of cancellation.~~

36 ~~(b) Whenever a voter transfers his or her registration from one~~
37 ~~precinct to another precinct in the same county, or reregisters in~~
38 ~~another precinct in the same county as shown by the new affidavit~~
39 ~~of registration, the county elections official shall immediately~~
40 ~~cancel the affidavit of registration from the precinct in which the~~

1 voter was first registered, and shall remove the affidavit from the
2 file of uncanceled affidavits.

3 ~~(e) Except as provided in Section 2119, whenever a voter~~
4 ~~removes from one county to another county and registers in the~~
5 ~~latter county, the county elections official of the county in which~~
6 ~~he or she was first registered, upon being informed of his or her~~
7 ~~removal either by the voter personally or by receipt of a notice of~~
8 ~~reregistration under Section 2118, shall likewise cancel his or her~~
9 ~~registration and remove the affidavit of registration in that county.~~

10 ~~(d) The county elections official in distributing to each precinct~~
11 ~~the three indexes of registration, as required by Section 2189, shall~~
12 ~~cross out of those indexes the names of all voters whose affidavits~~
13 ~~of registration from the precinct have been canceled.~~

14 *SEC. 59. Section 2204 of the Elections Code is repealed.*

15 ~~2204. Notwithstanding any other provision of law, whenever~~
16 ~~a voter changes his or her residence within the same precinct, the~~
17 ~~voter's affidavit of registration shall not be cancelled. Whenever~~
18 ~~notified by the voter, the elections official shall change the voter's~~
19 ~~affidavit of registration to reflect the new residence address within~~
20 ~~the same precinct.~~

21 *SEC. 60. Section 2206 of the Elections Code is amended to*
22 *read:*

23 2206. The Secretary of State shall adopt regulations to facilitate
24 the availability of death statistics from the State Department of
25 Health Services. The data shall be used by *the Secretary of State*
26 *or* county elections officials in canceling the affidavit of
27 registration of deceased persons.

28 *SEC. 61. Section 2208 of the Elections Code is amended to*
29 *read:*

30 2208. (a) A person shall be deemed mentally incompetent,
31 and therefore disqualified from voting, if, during the course of any
32 of the proceedings set forth below, the court finds that the person
33 is not capable of completing an affidavit of voter registration in
34 accordance with Section 2150 and any of the following apply:

35 (1) A conservator for the person or the person and estate is
36 appointed pursuant to Division 4 (commencing with Section 1400)
37 of the Probate Code.

38 (2) A conservator for the person or the person and estate is
39 appointed pursuant to Chapter 3 (commencing with Section 5350)
40 of Part 1 of Division 5 of the Welfare and Institutions Code.

1 (3) A conservator is appointed for the person pursuant to
2 proceedings initiated under Section 5352.5 of the Welfare and
3 Institutions Code, the person has been found not competent to
4 stand trial, and the person's trial or judgment has been suspended
5 pursuant to Section 1370 of the Penal Code.

6 (4) A person has plead not guilty by reason of insanity, has been
7 found to be not guilty pursuant to Section 1026 of the Penal Code,
8 and is deemed to be gravely disabled at the time of judgment as
9 defined in paragraph (2) of subdivision (h) of Section 5008 of the
10 Welfare and Institutions Code.

11 (b) If the proceeding under the Welfare and Institutions Code
12 is heard by a jury, the jury shall unanimously find that the person
13 is not capable of completing an affidavit of voter registration before
14 the person shall be disqualified from voting.

15 (c) If an order establishing a conservatorship is made and in
16 connection with the order it is found that the person is not capable
17 of completing an affidavit of voter registration, the court shall
18 forward the order and determination to the ~~county elections official~~
19 ~~of the person's county of residence~~ *Secretary of State in the format*
20 *prescribed by the Secretary of State.*

21 (d) A person shall not be disqualified from voting pursuant to
22 this section on the basis that he or she does, or would need to do,
23 any of the following to complete an affidavit of voter registration:

24 (1) Signs the affidavit of voter registration with a mark or a
25 cross pursuant to subdivision (b) of Section 2150.

26 (2) Signs the affidavit of voter registration by means of a
27 signature stamp pursuant to Section 354.5.

28 (3) Completes the affidavit of voter registration with the
29 assistance of another person pursuant to subdivision (d) of Section
30 2150.

31 *SEC. 62. Section 2209 of the Elections Code is amended to*
32 *read:*

33 2209. (a) For conservatorships established pursuant to Division
34 4 (commencing with Section 1400) of the Probate Code, the court
35 investigator shall, during the yearly or biennial review of the
36 conservatorship as required by Chapter 2 (commencing with
37 Section 1850) of Part 3 of Division 4 of the Probate Code, review
38 the person's capability of completing an affidavit of voter
39 registration in accordance with Section 2150.

1 (b) (1) If the person had been disqualified from voting by reason
2 of being incapable of completing an affidavit of voter registration,
3 the court investigator shall determine whether the person has
4 become capable of completing the affidavit in accordance with
5 Section 2150 and subdivision (d) of Section 2208, and the
6 investigator shall so inform the court.

7 (2) If the investigator finds that the person is capable of
8 completing the affidavit in accordance with Section 2150 and
9 subdivision (d) of Section 2208, the court shall hold a hearing to
10 determine whether the person is in fact capable of completing the
11 affidavit. If the person is found to be capable of completing the
12 affidavit, the person's right to register to vote shall be restored,
13 and the court shall so notify the ~~county elections official~~ *Secretary*
14 *of State in the format prescribed by the Secretary of State.*

15 (c) If the person had not been found to be incapable of
16 completing an affidavit of voter registration, and the court
17 investigator determines that the person is no longer capable of
18 completing the affidavit in accordance with Section 2150 and
19 subdivision (d) of Section 2208, the investigator shall so notify
20 the court. The court shall hold a hearing to determine whether the
21 person is capable of completing an affidavit of voter registration
22 in accordance with Section 2150 and subdivision (d) of Section
23 2208. If the court determines that the person is not so able, the
24 court shall order the person to be disqualified from voting pursuant
25 to Section 2208, and the court shall so notify the ~~county elections~~
26 ~~official~~ *Secretary of State in the format prescribed by the Secretary*
27 *of State.*

28 SEC. 63. *Section 2210 of the Elections Code is amended to*
29 *read:*

30 2210. (a) If the person or the person and estate is under a
31 conservatorship established pursuant to Chapter 3 (commencing
32 with Section 5350) of Part 1 of Division 5 of the Welfare and
33 Institutions Code, the person may contest his or her disqualification
34 from voting pursuant to the procedure set forth in Section 5358.3
35 of the Welfare and Institutions Code.

36 (b) When the conservatorship described in subdivision (a)
37 terminates after one year, the person's right to register to vote shall
38 also be automatically restored and notification to the ~~appropriate~~
39 ~~county elections official~~ *shall be made Secretary of State in the*
40 *format prescribed by the Secretary of State.* If a petition is filed

1 for the reappointment of the conservator, a new determination shall
2 be made as to whether the person should be disqualified from
3 voting.

4 (c) If the right to vote is restored pursuant to Section 5358.3 of
5 the Welfare and Institutions Code or if the conservatorship is
6 terminated in a proceeding held pursuant to Section 5364 of the
7 Welfare and Institutions Code, the court shall notify the ~~county~~
8 ~~elections official of the person's county of residence~~ *Secretary of*
9 *State in the format* that the person's right to register to vote is
10 restored.

11 *SEC. 64. Section 2211 of the Elections Code is amended to*
12 *read:*

13 2211. (a) Any person who (1) has plead not guilty by reason
14 of insanity and who has been found to be not guilty pursuant to
15 Section 1026 of the Penal Code, (2) has been found incompetent
16 to stand trial and whose trial or judgment has been suspended
17 pursuant to Section 1370 of the Penal Code, (3) has been convicted
18 of a felony and who was judicially determined to be a mentally
19 disordered sex offender pursuant to former Section 6300 of the
20 Welfare and Institutions Code, as repealed by Chapter 928 of the
21 Statutes of 1981, or (4) has been convicted of a felony and is being
22 treated at a state hospital pursuant to Section 2684 of the Penal
23 Code shall be disqualified from voting or registering to vote during
24 that time that the person is involuntarily confined, pursuant to a
25 court order, in a public or private facility.

26 (b) Upon the order of commitment to a treatment facility referred
27 to in subdivision (a), the court shall notify the ~~elections official of~~
28 ~~the county of residence of the person~~ *Secretary of State in the*
29 *format prescribed by the Secretary of State* and order the person
30 to be disqualified from voting or registering to vote.

31 (c) If the person is later released from the public or private
32 treatment facility, the court shall notify the ~~county elections official~~
33 ~~of the county of residence of the person~~ *Secretary of State in the*
34 *format prescribed by the Secretary of State* that the right of the
35 person to register to vote is restored.

36 *SEC. 65. Section 2212 of the Elections Code is amended to*
37 *read:*

38 2212. The clerk of the superior court of each county, on the
39 basis of the records of the court, shall furnish to the ~~chief elections~~
40 ~~official of the county~~ *Secretary of State in the format prescribed*

1 *by the Secretary of State, not less frequently than the first day of*
2 ~~April and the first day of September of each year every month, a~~
3 *statement showing the names, addresses, and dates of birth of all*
4 *persons who have been convicted of felonies since the clerk's last*
5 *report. The elections official Secretary of State shall, during the*
6 ~~first week of April and the first week of September in each year,~~
7 *cancel the affidavits of registration of those persons who are*
8 *currently imprisoned or on parole for the conviction of a felony.*
9 *The clerk shall certify the statement under the seal of the court.*

10 *SEC. 66. Section 2221 of the Elections Code is amended to*
11 *read:*

12 *2221. (a) Based on the postal notices on the returned residency*
13 *confirmation postcards received pursuant to Section 2220, the*
14 *county elections official shall take the following actions:*

15 *(1) The affidavits of registration of persons whose residency*
16 *confirmation postcards are returned by the post office as*
17 *undeliverable and who have no forwarding address shall be placed*
18 *in the inactive file pursuant to paragraph (2) of subdivision (a) of*
19 *Section 2226. These persons shall be mailed the confirmation*
20 *notices described in subdivision (d) (c) of Section 2225.*

21 *(2) The affidavits of registration of persons for whom forwarding*
22 *addresses within the county or outside the county are received*
23 *shall be corrected immediately updated to reflect the new address*
24 *provided by the post office and the former address shall be*
25 *maintained with the voter record. These persons shall be mailed*
26 *the confirmation notices described in subdivision (b) of Section*
27 *2225.*

28 ~~*(3) The affidavits of registration of persons for whom forwarding*~~
29 ~~*addresses outside of the county are received shall be placed in the*~~
30 ~~*inactive file pursuant to paragraph (2) of subdivision (a) of Section*~~
31 ~~*2226. These persons shall be mailed the confirmation notices*~~
32 ~~*described in subdivision (c) of Section 2225.*~~

33 ~~*(b) Blank affidavits of registration shall immediately be mailed*~~
34 ~~*to the addresses from which voter registrations were canceled or*~~
35 ~~*changed pursuant to this section.*~~

36 ~~*(e)*~~
37 ~~*(b) All address corrections and cancellations of updates to*~~
38 ~~*affidavits of registration made pursuant to this section shall be*~~
39 ~~*reflected on the voter index as required by Section 2191.*~~

1 *SEC. 67. Section 2224 of the Elections Code is amended to*
2 *read:*

3 2224. (a) If a voter has not voted in an election within the
4 preceding four years, and his or her residence address, name, or
5 party ~~affiliation~~ *preference* has not been updated during that time,
6 the county elections official may send an alternate residency
7 confirmation postcard. The use of this postcard may be sent
8 subsequent to NCOA or sample ballot returns, but shall not be
9 used in the residency confirmation process conducted under Section
10 2220. The postcard shall be forwardable, including a postage-paid
11 and preaddressed return form to enable the voter to verify or correct
12 the address information, and shall be in substantially the following
13 form:

14 “If the person named on the postcard is not at this address,
15 PLEASE help keep the voter rolls current and save taxpayer dollars
16 by returning this postcard to your mail carrier.”

17 “IMPORTANT NOTICE”

18 “According to our records you have not voted in any election
19 during the past four years, which may indicate that you no longer
20 reside in ____ County. If you continue to reside in ~~this county~~
21 *California* you must confirm your residency address in order to
22 remain on the active voter list and receive election materials in the
23 mail.”

24 “If confirmation has not been received within 15 days, you may
25 be required to provide proof of your residence address in order to
26 vote at future elections. ~~If you no longer live in ____ County, you~~
27 ~~must reregister at your new residence address in order to vote in~~
28 ~~the next election. California residents may obtain a mail registration~~
29 ~~form by calling the county elections office or the Secretary of~~
30 ~~State’s office.” elections.”~~

31 (b) The use of a toll-free number to confirm the old residence
32 address is optional. Any change to a voter’s address shall be
33 received in writing.

34 (c) A county using the alternate residency confirmation
35 procedure shall notify all voters of the procedure in the sample
36 ballot pamphlet or in a separate mailing.

37 *SEC. 68. Section 2225 of the Elections Code is amended to*
38 *read:*

39 2225. (a) Based on change-of-address data received from the
40 United States Postal Service or its licensees, the county elections

1 official shall send a forwardable notice, including a postage-paid
2 and preaddressed return form, to enable the voter to verify or
3 correct address information.

4 Notification received through NCOA or Operation Mail that a
5 voter has moved and has given no forwarding address shall not
6 require the mailing of a forwardable notice to that voter.

7 (b) If postal service change-of-address data indicates that the
8 voter has moved to a new residence address in ~~the same county~~
9 *California*, the forwardable notice shall be in substantially the
10 following form:

11
12 “We have received notification that ~~the voter has~~ *you have* moved
13 to a new residence address in _____ ~~County~~ *California*. You will
14 be registered to vote at your new address unless you notify our
15 office within 15 days that the address to which this card was mailed
16 is not a change of your permanent residence. You must notify our
17 office by either returning the attached postage-paid postcard, or
18 by calling toll free. If this is not a permanent residence, and if you
19 do not notify us within 15 days, you may be required to provide
20 proof of your residence address in order to vote at future elections.”

21
22 ~~(c) If postal service change-of-address data indicates that the~~
23 ~~voter has moved to a new address in another county, the~~
24 ~~forwardable notice shall be in substantially the following form:~~

25
26 ~~“We have received notification that you have moved to a new~~
27 ~~address not in _____ County. Please use the attached postage-paid~~
28 ~~postcard to: (1) advise us if this is or is not a permanent change of~~
29 ~~residence address, or (2) to advise us if our information is incorrect.~~
30 ~~If you do not return this card within 15 days and continue to reside~~
31 ~~in _____ County, you may be required to provide proof of your~~
32 ~~residence address in order to vote at future elections and, if you~~
33 ~~do not offer to vote at any election in the period between the date~~
34 ~~of this notice and the second federal general election following~~
35 ~~this notice, your voter registration will be canceled and you will~~
36 ~~have to reregister in order to vote. If you no longer live in _____~~
37 ~~County, you must reregister at your new residence address in order~~
38 ~~to vote in the next election. California residents may obtain a mail~~
39 ~~registration form by calling the county elections officer or~~
40 ~~1-800-345-VOTE.”~~

1
2 (d)

3 (c) If postal service change-of-address data received from a
4 nonforwardable mailing indicates that a voter has moved and left
5 no forwarding address, a forwardable notice shall be sent in
6 substantially the following form:

7
8 “We are attempting to verify postal notification that the voter to
9 whom this card is addressed has moved and left no forwarding
10 address. If the person receiving this card is the addressed voter,
11 please confirm your continued residence or provide current
12 residence information on the attached postage-paid postcard within
13 15 days. If you do not return this card and continue to reside in
14 ~~_____ County California~~, you may be required to provide proof of
15 your residence address in order to vote at future elections and, if
16 you do not offer to vote at any election in the period between the
17 date of this notice and the second federal general election following
18 this notice, your voter registration will be cancelled and you will
19 have to reregister in order to vote. ~~If you no longer live in _____~~
20 ~~County, you must reregister at your new residence address in order~~
21 ~~to vote in the next election. California residents may obtain a mail~~
22 ~~registration form by calling the county elections office or the~~
23 ~~Secretary of State’s office.” vote.”~~

24
25 (e)

26 (d) The use of a toll-free number to confirm the old residence
27 address is optional. Any change to the voter address must be
28 received in writing.

29 SEC. 69. Section 2226 of the Elections Code is amended to
30 read:

31 2226. (a) Based on change-of-address information received
32 pursuant to Sections 2220 to 2225, inclusive, or change-of-address
33 information provided directly by the voter, the county elections
34 official shall take the following actions as appropriate:

35 (1) If the information indicates the voter has moved to a new
36 ~~residence address within the same county in California~~, the county
37 elections official shall ~~immediately update and correct~~ the voter’s
38 registration.

39 (2) ~~If the information indicates the voter has moved to a new~~
40 ~~address in another county, if the mailings have been returned as~~

1 undeliverable, or if the voter fails to confirm his or her address as
2 required by Section 2224, the county elections official may place
3 the voter's name on the inactive file of registered voters who do
4 not receive election materials and are not included in calculations
5 to determine the number of signatures required for qualification
6 of candidates and measures, precinct size, or other election
7 administration-related processes.

8 ~~(3) If the voter verifies in writing that he or she has moved to~~
9 ~~a residence address in another county, the county elections official~~
10 ~~shall cancel the voter registration in the county from which the~~
11 ~~voter has moved.~~

12 (b) The voter registration of any voter whose name has been
13 placed on the inactive file of registered voters for failure to respond
14 to an address verification mailing required by Section 2225, and
15 who does not offer to vote or vote at any election between the date
16 of the mailing and two federal general elections after the date of
17 that mailing, may be canceled.

18 (c) Any voter whose name has been placed on the inactive file
19 of registered voters and offers to vote at any election between the
20 date of the verification notice, and two federal general elections
21 after the date of notice, or who notifies the elections official of a
22 continued residency, shall be removed from the inactive file and
23 placed on the active voter file.

24 (d) All address ~~corrections~~ *updates*, cancellations, and inactive
25 transactions made to the voter registration file pursuant to this
26 section shall be reflected on the voter index as required by Section
27 2191.

28 *SEC. 70. Section 2227 of the Elections Code is amended to*
29 *read:*

30 2227. (a) In lieu of mailing a residency confirmation postcard,
31 as prescribed in subdivision (a) of Section 2220, the county
32 elections official may contract with a consumer credit reporting
33 agency or its licensees to obtain use of change-of-address data in
34 accordance with this section.

35 (b) If the county elections official contracts with a consumer
36 credit reporting agency or its licensees pursuant to subdivision (a),
37 all of the following shall occur:

38 (1) For each registered voter in the county, the county elections
39 official shall initiate a search for change-of-address data with the
40 consumer credit reporting agency or its licensees by providing the

1 name and residence address of each registered voter in the county
2 to the consumer credit reporting agency or its licensees.

3 (2) The consumer credit reporting agency or its licensees shall
4 search their databases for each name and address provided by the
5 county elections official and shall report to the county elections
6 official any information indicating that the registered voter changed
7 his or her residence address.

8 (c) (1) Notwithstanding Section 2194 of this code or Section
9 6254.4 of the Government Code, and except as provided in
10 paragraph (2), a county elections official may disclose a registered
11 voter's name and residence address to a consumer credit reporting
12 agency or its licensees pursuant to, and in accordance with, this
13 section.

14 (2) A county elections official shall not disclose to a consumer
15 credit reporting agency or its licensees the name and residence
16 address of a registered voter if that information is deemed
17 confidential pursuant to Section 2166, 2166.5, or 2166.7 of this
18 code, or Chapter 3.1 (commencing with Section 6205) of Division
19 7 of Title 1 of the Government Code.

20 (d) A consumer credit reporting agency or its licensees shall
21 use the information provided by a county elections official only
22 pursuant to paragraph (2) of subdivision (b), and shall not retain
23 any information received from the county elections official
24 pursuant to this section.

25 (e) Based on change-of-address data received from a consumer
26 credit reporting agency or its licensees, the county elections official
27 shall send a forwardable notice, including a postage-paid and
28 preaddressed return form, which may be in the form of a postcard,
29 to the registered voter to enable the voter to verify or correct
30 address information. The forwardable notice shall be in
31 substantially the following form:

32
33 "We have received notification that you have moved to a new
34 residence address in ____ County. You will remain registered to
35 vote at your old address unless you notify our office that the
36 address to which this card was mailed is a change of your
37 permanent residence. Please notify our office in writing by
38 returning the attached postage-paid postcard. If this is not a
39 permanent residence, and you do not wish to change your address
40 for voting purposes, please disregard this notice."

1
2 (f) The county elections official shall take all of the following
3 actions as appropriate:

4 (1) If a voter responds to the forwardable notice sent pursuant
5 to subdivision (e) or otherwise verifies in a signed writing that he
6 or she has moved to a new residence address ~~within the same~~
7 ~~county in California~~, the county elections official shall verify the
8 signature on the response by comparing it to the signature on file
9 for the voter and, if appropriate, ~~correct~~ *immediately update* the
10 voter's registration with the new residence address.

11 ~~(2) If a voter responds to the forwardable notice sent pursuant~~
12 ~~to subdivision (e) or otherwise verifies in a signed writing that he~~
13 ~~or she has moved to a new residence address in another county,~~
14 ~~the county elections official shall verify the signature on the~~
15 ~~response by comparing it to the signature on file for the voter and,~~
16 ~~if appropriate, cancel the voter's registration in the county from~~
17 ~~which the voter has moved.~~

18 ~~(3)~~

19 (2) If a voter does not respond to the forwardable notice sent
20 pursuant to subdivision (e) and does not otherwise verify in a
21 signed writing that he or she has moved to a new residence address,
22 the elections official shall not place the voter's name on the inactive
23 file of registered voters or cancel the voter registration.

24 (g) For purposes of this section, "consumer credit reporting
25 agency" has the same meaning as set forth in subdivision (d) of
26 Section 1785.3 of the Civil Code.

27 *SEC. 71. Section 3010 of the Elections Code is amended to*
28 *read:*

29 3010. The elections official shall deliver to each qualified
30 applicant:

31 (a) The ballot for the precinct in which he or she resides. In
32 primary elections this shall also be accompanied by the ballot for
33 the central committee of the party ~~with~~ *for* which the voter ~~is~~
34 ~~affiliated~~ *has disclosed a preference*, if any.

35 (b) All supplies necessary for the use and return of the ballot.

36 No officer of this state may make any charge for services
37 rendered to any voter under this chapter.

38 *SEC. 72. Section 3011 of the Elections Code is amended to*
39 *read:*

1 3011. (a) The identification envelope shall contain all of the
2 following:

3 (1) A declaration, under penalty of perjury, stating that the voter
4 resides within the precinct in which he or she is voting and is the
5 person whose name appears on the envelope.

6 (2) The signature of the voter.

7 (3) The residence address of the voter as shown on the affidavit
8 of registration.

9 (4) The date of signing.

10 (5) A notice that the envelope contains an official ballot and is
11 to be opened only by the canvassing board.

12 (6) A warning plainly stamped or printed on it that voting twice
13 constitutes a crime.

14 (7) A warning plainly stamped or printed on it that the voter
15 must sign the envelope in his or her own handwriting in order for
16 the ballot to be counted.

17 (8) A statement that the voter has neither applied, nor intends
18 to apply, for a vote by mail voter's ballot from any other
19 jurisdiction for the same election.

20 (9) The name of the person authorized by the voter to return the
21 vote by mail ballot pursuant to Section 3017.

22 (10) The relationship to the voter of the person authorized to
23 return the vote by mail ballot.

24 (11) The signature of the person authorized to return the vote
25 by mail ballot.

26 (b) Except at a primary election for partisan office, and
27 notwithstanding any other provision of law, the vote by mail voter's
28 party-affiliation preference may not be stamped or printed on the
29 identification envelope.

30 *SEC. 73. Section 9030 of the Elections Code is amended to*
31 *read:*

32 9030. (a) Each section of the petition shall be filed with the
33 elections official of the county or city and county in which it was
34 circulated, but all sections circulated in any county or city and
35 county shall be filed at the same time. Once filed, no petition
36 section shall be amended except by order of a court of competent
37 jurisdiction.

38 (b) Within eight days after the filing of the petition, excluding
39 Saturdays, Sundays, and holidays, the elections official shall
40 determine the total number of signatures affixed to the petition

1 and shall transmit this information to the Secretary of State. If the
2 total number of signatures filed with all elections officials is less
3 than 100 percent of the number of qualified voters required to find
4 the petition sufficient, the Secretary of State shall so notify the
5 proponents and the elections officials, and no further action shall
6 be taken with regard to the petition.

7 (c) If the number of signatures filed with all elections officials
8 is 100 percent or more of the number of qualified voters needed
9 to declare the petition sufficient, the Secretary of State shall
10 immediately so notify the elections officials.

11 (d) Within 30 days after this notification, excluding Saturdays,
12 Sundays, and holidays, the elections official shall determine the
13 number of qualified voters who have signed the petition. If more
14 than 500 names have been signed on sections of the petition filed
15 with an elections official, the elections official shall use a random
16 sampling technique for verification of signatures, as determined
17 by the Secretary of State. The random sample of signatures to be
18 verified shall be drawn in such a manner that every signature filed
19 with the elections official shall be given an equal opportunity to
20 be included in the sample. The random sampling shall include an
21 examination of at least 500 or 3 percent of the signatures,
22 whichever is greater. In determining from the records of registration
23 what number of qualified voters have signed the petition, the
24 elections official may use ~~the duplicate file of affidavits of~~
25 ~~registered voters or the facsimiles of voters' signatures, any file~~
26 ~~or list of registered voters~~ provided that the method of preparing
27 and displaying the ~~facsimiles file or list~~ complies with law.

28 (e) The elections official, upon the completion of the
29 examination, shall immediately attach to the petition, except the
30 signatures thereto appended, a properly dated certificate, showing
31 the result of the examination, and shall immediately transmit the
32 petition and the certificate to the Secretary of State. A copy of this
33 certificate shall be filed in the elections official's office.

34 (f) If the certificates received from all elections officials by the
35 Secretary of State establish that the number of valid signatures
36 does not equal 95 percent of the number of qualified voters needed
37 to find the petition sufficient, the petition shall be deemed to have
38 failed to qualify, and the Secretary of State shall immediately so
39 notify the proponents and the elections officials.

1 (g) If the certificates received from all elections officials by the
2 Secretary of State total more than 110 percent of the number of
3 qualified voters needed to find the petition sufficient, the Secretary
4 of State shall certify that the measure is qualified for the ballot as
5 provided in Section 9033.

6 *SEC. 74. Section 9031 of the Elections Code is amended to*
7 *read:*

8 9031. (a) If the statistical sampling shows that the number of
9 valid signatures is within 95 to 110 percent of the number of
10 signatures of qualified voters needed to declare the petition
11 sufficient, the Secretary of State shall order the examination and
12 verification of the signatures filed, and shall so notify the elections
13 officials.

14 (b) Within 30 days, excluding Saturdays, Sundays, and holidays,
15 after receipt of the order, the elections official or registrar of voters
16 shall determine from the records of registration what number of
17 qualified voters have signed the petition and if necessary the board
18 of supervisors shall allow the elections official or registrar
19 additional assistance for the purpose of examining the petition and
20 provide for their compensation. In determining from the records
21 of registration what number of qualified voters have signed the
22 petition, the elections official or registrar of voters may use any
23 file or list of registered voters maintained by his or her office, or
24 ~~the facsimiles of voters' signatures, voters,~~ provided that the
25 method of preparing and displaying the ~~facsimiles~~ *file or list*
26 complies with law.

27 (c) (1) During the examination and verification of the signatures
28 filed, the elections official or registrar of voters shall submit one
29 or more reports to the Secretary of State showing the number of
30 signatures of qualified voters that have been verified as of that
31 date. The Secretary of State shall determine the number of reports
32 required to be submitted and the manner of their submission.

33 (2) The Secretary of State shall maintain a list indicating the
34 number of verified signatures of qualified voters who have signed
35 the petition based on the most recent reports submitted pursuant
36 to paragraph (1). If the Secretary of State determines, prior to each
37 county's completing the examination of each signature filed, that
38 based on the list the petition is signed by the requisite number of
39 voters needed to declare the petition sufficient, the Secretary of
40 State shall immediately notify the elections official or registrar of

1 voters of every county or city and county in the state of this fact.
2 Immediately after receipt of this notification, the elections official
3 or registrar of voters may suspend signature verification until
4 receipt of a certificate pursuant to Section 9033 or until otherwise
5 instructed by the Secretary of State.

6 (d) The elections official or registrar, upon the completion of
7 the examination or notification pursuant to paragraph (2) of
8 subdivision (c), shall immediately attach to the petition, except
9 the signatures thereto appended, an amended certificate properly
10 dated, showing the result of the examination and shall immediately
11 transmit the petition, together with the amended certificate, to the
12 Secretary of State. A copy of the amended certificate shall be filed
13 in the elections official's office.

14 (e) (1) If the amended certificates establish the petition's
15 sufficiency, the Secretary of State shall certify that the measure is
16 qualified for the ballot as provided in Section 9033.

17 (2) If the amended certificates received from all elections
18 officials by the Secretary of State establish that the petition has
19 still been found insufficient, the Secretary of State shall
20 immediately so notify the proponents and the elections officials.

21 *SEC. 75. Section 9114 of the Elections Code is amended to*
22 *read:*

23 9114. Except as provided in Section 9115, within 30 days from
24 the date of filing of the petition, excluding Saturdays, Sundays,
25 and holidays, the elections official shall examine the petition, and
26 from the records of registration ascertain whether or not the petition
27 is signed by the requisite number of voters. A certificate showing
28 the results of this examination shall be attached to the petition.

29 In determining the number of valid signatures, the elections
30 official may use ~~the duplicate file of affidavits maintained, or may~~
31 ~~check the signatures against facsimiles of voters' signatures, any~~
32 *file or list of registered voters* provided that the method of
33 preparing and displaying the ~~facsimiles file or list~~ complies with
34 law.

35 The elections official shall notify the proponents of the petition
36 as to the sufficiency or insufficiency of the petition.

37 If the petition is found insufficient, no further action shall be
38 taken. However, the failure to secure sufficient signatures, shall
39 not preclude the filing of a new petition on the same subject, at a
40 later date.

1 If the petition is found sufficient, the elections official shall
2 certify the results of the examination to the board of supervisors
3 at the next regular meeting of the board.

4 *SEC. 76. Section 9115 of the Elections Code is amended to*
5 *read:*

6 9115. (a) Within 30 days from the date of filing of the petition,
7 excluding Saturdays, Sundays, and holidays, if, from the
8 examination of petitions pursuant to Section 9114 shows that more
9 than 500 signatures have been signed on the petition, the elections
10 official may use a random sampling technique for verification of
11 signatures. The random sample of signatures to be verified shall
12 be drawn so that every signature filed with the elections official
13 shall be given an equal opportunity to be included in the sample.
14 The random sampling shall include an examination of at least 500,
15 or 3 percent of the signatures, whichever is greater.

16 (b) If the statistical sampling shows that the number of valid
17 signatures is within 95 to 110 percent of the number of signatures
18 of qualified voters needed to declare the petition sufficient, the
19 elections official shall, within 60 days from the date of the filing
20 of the petition, excluding Saturdays, Sundays, and holidays,
21 examine and verify the signatures filed. If the elections official
22 determines, prior to completing the examination of each signature
23 filed, that the petition is signed by the requisite number of qualified
24 voters to declare the petition sufficient, the elections official may
25 terminate the verification of the remaining unverified signatures.

26 (c) In determining from the records of registration, what number
27 of valid signatures are signed on the petition, the elections official
28 may use the duplicate file of affidavits maintained, or may check
29 the signatures against facsimiles of voters' signatures, any file or
30 list of registered voters, provided that the method of preparing and
31 displaying the facsimiles file or list complies with law.

32 (d) The elections official shall attach to the petition a certificate
33 showing the result of this examination and shall notify the
34 proponents of either the sufficiency or insufficiency of the petition.

35 (e) If the petition is found insufficient, no action shall be taken
36 on the petition. However, the failure to secure sufficient signatures
37 shall not preclude the filing later of an entirely new petition to the
38 same effect.

1 (f) If the petition is found to be sufficient, the elections official
2 shall certify the results of the examination to the board of
3 supervisors at the next regular meeting of the board.

4 *SEC. 77. Section 9308 of the Elections Code is amended to*
5 *read:*

6 9308. (a) Except as provided in Section 9309, within 30 days
7 from the date of filing of the petition, excluding Saturdays,
8 Sundays, and holidays, the district elections official shall examine
9 the petition, and from the records of registration ascertain whether
10 the petition is signed by the requisite number of voters. A certificate
11 showing the results of this examination shall be attached to the
12 petition.

13 (b) In determining the number of valid signatures, the district
14 elections official may use ~~the duplicate file of affidavits maintained,~~
15 ~~or may check the signatures against facsimiles of voters' signatures,~~
16 *any file or list of registered voters*, provided that the method of
17 preparing and displaying the ~~facsimiles file or list~~ complies with
18 law.

19 (c) The district elections official shall notify the proponents of
20 the petition as to the sufficiency or insufficiency of the petition.

21 (d) If the petition is found insufficient, no further action shall
22 be taken. However, the failure to secure sufficient signatures, shall
23 not preclude the filing of a new petition on the same subject, at a
24 later date.

25 (e) If the petition is found sufficient, the district elections official
26 shall certify the results of the examination to the governing board
27 of the district at the next regular meeting of the board.

28 *SEC. 78. Section 9309 of the Elections Code is amended to*
29 *read:*

30 9309. (a) Within 30 days from the date of filing of the petition,
31 excluding Saturdays, Sundays, and holidays, if, from the
32 examination of petitions pursuant to Section 9308, more than 500
33 signatures have been signed on the petition, the district elections
34 official may use a random sampling technique for verification of
35 signatures. The random sample of signatures to be verified shall
36 be drawn in such a manner that every signature filed with the
37 elections official shall be given an equal opportunity to be included
38 in the sample. A random sampling shall include an examination
39 of at least 500 or 3 percent of the signatures, whichever is greater.

(b) If the statistical sampling shows that the number of valid signatures is within 95 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the district elections official, within 60 days from the date of the filing of the petition, excluding Saturdays, Sundays, and holidays, shall examine and verify each signature filed.

(c) In determining from the records of registration, what number of valid signatures are signed on the petition, the district elections official may use the duplicate file of affidavits maintained, or may check the signatures against facsimiles of voters' signatures, any file or list of registered voters, provided that the method of preparing and displaying the facsimiles file or list complies with law.

(d) The district elections official shall attach to the petition, a certificate showing the result of this examination, and shall notify the proponents of either the sufficiency or insufficiency of the petition.

(e) If the petition is found insufficient, no action shall be taken on the petition. However, the failure to secure sufficient signatures shall not preclude the filing later of an entirely new petition to the same effect.

(f) If the petition is found to be sufficient, the district elections official shall certify the results of the examination to the governing board of the district at the next regular meeting of the board.

SEC. 79. Section 14202 of the Elections Code is amended to read:

14202. (a) Before opening the polls, the precinct board shall post in separate, convenient places at or near the polling place, and of easy access to the voters, not less than two of the copies of the index to the affidavits of registration for that precinct. *The copies of the index may be by street address in numerical order.*

~~(b) In any county in which tabulating equipment is used to produce the index of registration, the copies of the index posted pursuant to this section shall be by street addresses in numerical order, unless otherwise provided by Section 2192.~~

SEC. 80. Section 18104 of the Elections Code is amended to read:

18104. Any deputy registrar of voters individual or organization having charge of affidavits of registration is guilty of a misdemeanor who knowingly neglects or refuses to return

affidavits of registration as provided in Article 3 (commencing with Section 2135) of Chapter 2 of Division 2. The county elections official shall report to the district attorney of the county, under oath, the names of any ~~deputies~~ *individuals or organizations* who have failed to return the affidavits. The district attorney shall take appropriate civil or criminal action.

SEC. 81. Section 18109 of the Elections Code is amended to read:

18109. (a) It is a misdemeanor for a person in possession of information identified in Section 2138.5, or obtained pursuant to Article 5 (commencing with Section ~~2180~~) 2183) of Chapter 2 of Division 2 of this code or Section 6254.4 of the Government Code, knowingly to use or permit the use of all or any part of that information for any purpose other than as permitted by law.

(b) It is a misdemeanor for a person knowingly to acquire possession or use of voter registration information from the Secretary of State or a county elections official without first complying with Section 2188.

SEC. 82. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 83. This act shall become operative only if the Secretary of State certifies that the state has a statewide voter registration database that complies with the requirements of the federal Help America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.).

~~SECTION 1. Section 2117 of the Elections Code is amended to read:~~

~~2117. Except as provided in Section 2119, if a voter reregisters or transfers his or her registration from one precinct to another,~~

- 1 ~~the former address shall be maintained with the voter record and~~
- 2 ~~the registration shall thereupon be updated.~~

O